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MAIN

This is Volume II of Professor Broadus Mitchell's two-volume life of Alexander Hamilton. It embraces the years from Hamilton's appointment as first Secretary of the Treasury to his fatal duel with Aaron Burr. Professor Mitchell tells the story of Hamilton's treasury proposals, which established the solvency and promoted the prosperity of the country, and explains the birth and bitter opposition of the Federalists, led by Hamilton, and the Republicans, rallied under Jefferson. In treating Hamilton's loyalty to Washington and his attack on John Adams, the author examines—as he did in the first volume—his personal life, his failures as well as his successes.

After years of study of Hamilton and his times, the author has reached a point of view rather different from the usual one. Dr. Mitchell regards Hamilton not as an apologist of privilege, but as a champion of public interest, his client was not a class, but the whole country. Nor did his proficiency as fiscal technician overshadow his broad statesmanship. He devised tools for the noble purpose of constructing and advancing a new nation.

The author does full justice to Hamilton's magnificent gifts, but at the same time points up his human flaws which reduce the paragon to the living person, welcome features

(continued on back flap)

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ALEXANDER HAMILTON

The National Adventure

1788-1804

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. . . and the government shall be upon his shoulder . . . --Isaiah 9:6

ALEXANDER
HAMILTON

The National Adventure
1788-1804

by
Broadus Mitchell

★ ★

New York
The Macmillan Company
1962

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Foreword

AT the beginning of this volume Alexander Hamilton, at the age of thirty-three, is already a national figure. He has made a leap into history from obscure birth and boyhood in the Leeward Islands of the West Indies. There his intellectual precocity and proficiency as clerk in a wholesale store prompted relatives and friends to send him to the Continent for education. As a student in King's College, New York, he published remarkable pamphlets defending the colonies' cause, made an impromptu patriotic speech at a mass meeting, then left his books for the captaincy of an artillery company. In winter quarters at Morristown, New Jersey, a year later (March 1777) he became an aide of General Washington. Thereafter for four years, in camp and campaign, he was a reliance of the Commander in Chief. He learned at firsthand the problems of the Revolution, military, fiscal, and diplomatic. He was the trusted friend of such officers as Lafayette, Steuben, Stirling, Greene, Knox, and John Laurens. He married Elizabeth, the daughter of General Philip Schuyler. At Yorktown he led the storm of one of the last of the British redoubts preceding the surrender of Cornwallis.

He swiftly qualified for the bar, served as collector of revenue for New York under Robert Morris, entered the state legislature, and was sent thence to the Continental Congress. In these posts his aims were steadily national. He labored, in cooperation with Schuyler, for reform of the Articles of Confederation, to give dominance to the central government. He turned the failure of the Annapolis commercial convention of 1786 to brilliant account by penning the report that resulted in the Philadelphia Constitutional Convention the following year. He helped overcome Washington's reluctance to attend, a stroke decisive for the success of that gathering. As a delegate from New York he outlined a plan which conferred more authority on Congress and the national executive than others were willing to accept, but in later stages of debate he was conciliatory, and he alone signed the Constitution for his state. He took chief part, with Madison and Jay, in the *Federalist* essays

justifying the document. Against heavy odds he led the fight that secured ratification by New York.

In this progress he proved himself original and devoted. With penetration to grasp the needs of the young country, he combined the passion to persuade others to decisive action. To this point he had helped to stir to independence, win the war, clear away the confusion of the Confederation, and project the national future. But the test must be in bringing the dream to reality. Now Hamilton was to be a veritable Joseph. Solvency and sovereignty should be mutually accomplished. Under President Washington's aegis, the tools of prosperous administration must be forged and put to service. This arduous chapter at the outset of the nation's career, inseparable from Hamilton's contribution, is his glory.

On the eve of appointment as first Secretary of the Treasury, Hamilton occupied himself, in the closing months of the old Congress, and in New York politics, readying the scene for advent of the new national government. It is with these preliminaries that our story opens.

The help given me by librarians, archivists, and others whose kindness was acknowledged in Volume I extended to the present volume also. In addition I thank cordially Gilbert A. Cam, Philomena Houlahan, Shirley Spranger, Leon Weidman, Joseph Mask, and Paul Rugen of the New York Public Library; Charles F. Gosnell and Juliet Wolohan of the New York State Library; Sidney Forman, United States Military Academy; Francis S. Ronalds of the Morristown, New Jersey, National Historical Park; T. R. Hay of Locust Valley, New York; Elsie Reynolds and Joan Cooney of Hofstra College; Walter Pilkington of Hamilton College; Henrietta Van Haste of the Office of Plant Management Commission, City of Paterson, New Jersey; Newton F. McKeon and Porter Dickinson of Amherst College. A generous grant from the American Philosophical Society enabled me to gather much of the material for the present volume. I owe a special debt for repeated assistance to Harold C. Syrett, Jacob E. Cooke, editors, and Jean C. Cooke and Bernard Mason of the staff of *The Papers of Alexander Hamilton* in course of publication by the Columbia University Press.

B. M.

New York City
November 1961



Old Business and New

HAMILTON's second term of service in the Continental Congress, in 1788, found that body and the Confederation which it represented making their exit, superseded by the new Constitution. He was elected by the New York legislature January 22, but did not present his credentials and take his seat until February 25.¹ His last attendance, so far as the record shows, was on October 10.² Except at intervals, as when location of the capital of the new government was discussed, he was rarely present, and the disinclination his absences showed reduced his committee assignments to a few. He had sufficient excuse for seldom appearing. He had recently completed arduous service in the Philadelphia convention, his private affairs needed rescue, *The Federalist* papers engaged him, and, most of all, five solid weeks of the term were claimed by his constant exertions in the Poughkeepsie convention. Before going there he was immersed in the campaign to secure election of delegates who would approve the Constitution, and after New York ratified, state politics and plans for principal officers of the new government engrossed him.³ Also, Congress lapsed into long fainting spells when it could not muster the minimum quorum of seven states, and for months at the end, extending into the next session, one or at most two members per day would be registered in Secretary Thomson's book. This was in contrast to Hamilton's period in Congress five years before, when anxiety produced effort,

if not proportionate results. Now the small budget of business—except time and place for commencing the national government, which was mandatory—was treated tentatively, with willingness to shift all forward to other shoulders. Save for sectional wrangles that summoned attendance and warmed debate, Congress was giving up the struggle without so much as *pro forma* continuance to the end of its time.⁴

Hamilton was in Congress March 4 for the Committee of the Whole which considered the motion of Virginia delegates for erection of the District of Kentucky into an independent state.⁵ Of course nothing was concluded; it was long before the proposition was taken up again; and in fact the end sought was never in the power of a Congress so near its demise. However, pretensions of Kentucky remained a complicating factor in the contest for adoption of the Constitution, and stimulated Hamilton's efforts to prepare Vermont for statehood. These proposals were symptomatic of larger problems, such as prospective movement of population, right to navigation of the Mississippi, and early dominance of the Federalist party centering in the Eastern states. For this reason, if for no other, they could have only a rehearsal now, leaving determination to a later day. The committee reported June 2 in favor of making Kentucky a state; a grand committee (Hamilton a member) was to prepare an ordinance conformable to the Articles of Confederation.⁶ John Brown, the Virginia delegate who was chief advocate of the demand of Kentucky, said that "Colo. Hamilton heads the Opposition from an apprehension that a compliance might embarrass the new Constitution. He is supported by all the eastern States least it might add to the Southern Interest."⁷ Hamilton may have been among those willing, in Madison's surmise, to "throw obstacles in the way, till Vermont can be let in at the same time. . . ." If so, he risked success of those who thwarted statehood "with the covert view of irritating Kentucky into an opposition to the new Government." Madison was anxious to avoid this because frustration of her Western settlers might prevent Virginia from ratifying.⁸

Hamilton would have stopped short of inviting this dire result. Westerners feared that negotiations with Spain, then pending, would close to them navigation of the Mississippi. If denied admission to the Confederation, the Kentuckians might declare their independence

and attempt to force Spain to grant their rights in the river. For weeks the related questions of admission of Kentucky and possible yielding to Spain hung fire. On July 2, postponement of Kentucky statehood was justified when Congress learned officially that New Hampshire, the required ninth state, had ratified the new Constitution; the grand committee was discharged, and Kentucky's application was referred to the incoming government with favorable recommendation.⁹ Hamilton had chief part in removing fears of the Western people that Congress would surrender navigation of the Mississippi. On September 8 he was made chairman of a representative committee to consider a report of John Jay, Secretary for Foreign Affairs, which left the issue in doubt.¹⁰ On September 15 Hamilton's committee submitted forthright resolves in his handwriting which when passed upheld the "clear and essential right" of the United States to free navigation of the river, and put over to the new government further negotiations with Spain.¹¹

Westward expansion and creation of new states was destined to be profoundly influenced by an invention brought forward in Congress March 5, when New York was not represented. That was the steamboat. A committee reported favorably on the memorial of John Fitch asking grants of lands "to enable him to bring to effect a project which promises much ultimate advantage to the United States. . . ."¹² Fitch had conducted experiments on the Collect Pond, near the New York City "Fields"; and Hamilton may have been one of the party of the Philadelphia convention that witnessed operation of the steamboat on the Delaware.

Thereafter more than two months of congressional somnolence of which Hamilton took advantage, if he attended at all, to write in his seat letters to Madison and Gouverneur Morris that were anything but sleepy, and showed how far away was his mind from the trifling matters discussed on the floor. He estimated Governor Clinton's obstinacy against the Constitution and chances of overcoming him in the end. Particularly, Hamilton authorized Madison to send him an express with earliest word of favorable action by the Virginia convention.¹³

We have no sign of his presence in Congress for several days before and after the dates of the Poughkeepsie convention, June 17-July 25. When he returned to his seat, July 30,¹⁴ the time and

especially the place for commencing the new government occupied the boards. Hamilton's persistent part in this political tussle concerns us for the light it sheds on his later famous bargain with Jefferson. This was for location of the permanent capital on the Potomac in return for Southern votes approving assumption of state war debts by the central government. It is clear from the debates in the old Congress that the final placement of the capital was not a matter of indifference to Hamilton. He preferred to have it no farther south than Philadelphia. More than local obligation made him fight for New York as the initial site; if only for geographical reasons, New York could not be the ultimate choice, but commencement there would hinder too distant removal. Also, a beginning at New York would permit the establishment of important precedents under the eyes of colleagues whom he trusted.¹⁵

When New Hampshire ratified, a motion for a committee to report an act for putting the Constitution in operation had the assent of every member save Abraham Yates of New York.¹⁶ The committee, Edward Carrington, chairman, recommended that electors be chosen the first Wednesday in December, to assemble and vote for President the first Wednesday in January, and that proceedings under the Constitution begin the first Wednesday in February at a place left blank.¹⁷ Later the three dates were set forward a month to suit the convenience of Southern states.¹⁸ An effort of Connecticut and North Carolina delegates to fill the blank for place with "Philadelphia" failed.¹⁹ Two days later, Hamilton present, Dayton of New Jersey and Huger of South Carolina moved in favor of the City of New York, but Henry Lee of Virginia and Clark of New Jersey moved to substitute "at such place as shall hereafter be appointed by Congress." New York was agreeable to the amendment, but it was lost, and the original motion was not then pressed.²⁰

These were but the bare bones of the controversy to this point, and ensuing entries in the *Journal* are similarly unrevealing. However, the skeleton is clothed in flesh-and-blood interests and passions when we turn to what members of Congress were saying in their letters. Fortunately for Hamilton's part in the lively contest over location of the capital, the question had not been urged before his return from Poughkeepsie. Naturally, those who were for New

York City had studiously promoted delay while the state debated approval of the Constitution, and others were willing to give opportunity for North Carolina to ratify.²¹ We have no intimation in Hamilton's expressions during these preliminary skirmishes in the old Congress that he cried up a Northern location with the intention of using that in a future bargain with the Southerners. He was eager for New York at the outset, and later for a shift no farther south than could be avoided.

To the general surprise, after jockeying, Baltimore was nominated and accepted for the capital.²² Hope of the Southern states was to have the capital ultimately placed on the Potomac. For this they required delay. "The only chance the Potomac has is . . . that the final seat may be undecided for two or three years, within which period the Western and S. Western population may enter more into the estimate."²³ For this purpose the temporary location must be adroitly chosen. Their chief fears were of New York. It was clearly ineligible as the permanent capital, for there would be only 8 senators north (or "eastward," as they said) of it, and 16 to the southward; 17 members of the House east, 42 south; the distance from New York to New Hampshire was hardly a third of that from New York to Georgia.²⁴ As a temporary location New York was equally a snare, "for . . . it tends to stop the final . . . seat short of the Potomac . . . and probably in . . . N. Jersey." Madison added, "I *know* this to be one of the views of the advocates of N. York."²⁵

Madison may have had this from Hamilton, for soon the New Yorker was remonstrating with his old friend Governor Livingston against a report that the New Jersey delegates would be instructed to favor Philadelphia for the first meeting place. Hamilton admitted frankly that the "exposed and eccentric position [of New York] will necessitate the early establishment of a permanent seat, and in passing south it is highly probable the government would light upon the Delaware in New Jersey. The Northern States do not wish to increase Pennsylvania by an accession of all the wealth and population of the federal city. Pennsylvania herself, when not seduced by *immediate possession*, will . . . concur in a situation on the Jersey side of the Delaware. Here are at once a majority of the States; but place the government once down in Pennsylvania" and that state and Delaware would hold fast. If on the other hand,

Baltimore became the initial capital, a coalition of Northern states would fix the permanent one north of it before expansion of South-western population could come into the calculation.²⁶

Hamilton worked busily for recruits for reconsideration of the vote for Baltimore. With the help of Tucker of South Carolina and Henry Lee of Virginia, it was moved that the temporary seat remain at New York, the new Congress to determine its own permanent capital. Choice of another temporary location would entail two moves instead of one, which would be expensive and "indicative of instability in the national councils. . . ." Counter-motions failed and New York was chosen.²⁷ Said Madison, "This place was the result of the dilemma to which the opponents of N. York were reduced of yielding to its advocates or strangling the Government in its birth." However, the initial victory of New York would be regarded "as at once a proof of the preponderancy of the Eastern strength, and of a disposition to make an unfair use of it," which portended more serious dissension.²⁸

Hamilton was able to further the petition of Baron Steuben for compensation for his losses and expenses in coming to America and performing essential services in our Revolutionary army. The tie between them was close from the first, when many native officers looked askance at Steuben's disciplinary measures. Hamilton, like Washington, knew how to appreciate the boon of organization the baron imparted, and discounted the gústy manner which covered unstinting, expert devotion. Hamilton, seconded by Henry Lee, moved to commit a report of August 25 which reviewed the evidence of Steuben's engagement and recommended an annuity. Hamilton was a member of the new committee which, September 11, confirmed former findings and urged a grant in addition to a pension.²⁹ Chief among exhibits before the committee must have been Steuben's statement which, in the copy preserved in Hamilton's papers, has amendments in Hamilton's hand.³⁰ These wise revisions, item by item, reduced the total amount of the claims. The report received no action at the time but was a step toward later, deserved rescue of the baron's plight.

Little remains to be recorded of Hamilton's second term in the Congress of the Confederation. The old government was being moved out not only politically but physically to make way for the new. In eager anticipation, the city hall was being remodeled

into a more suitable capitol. Congress was compelled to adjourn for several days in favor of carpenters.³¹ Though preparing to be swept out with the shavings, delegates reverted to a docket of old business.

Hamilton had been absent in Poughkeepsie, striving to make a stronger government a certainty when, July 7, 1788, a committee was named by Congress to review the finances of the Confederation since Robert Morris closed his account November 1, 1784.³² But he seems to have heard the committee report on September 30.³³ This was a valiant but unsuccessful attempt to state the receipts and disbursements of the Board of Treasury. Much was inconclusive, from accounts unsettled, records missing, and conduct of public agents irresponsible or worse. The committee tidied the fiscal house where it could, but left vexing disorder to the new government. Hamilton must have listened with foreboding if it occurred to him that he would be called upon in future to gather up so many loose threads. He voted with the majority, October 10, against the last resolution offered in the old Congress. This would have forbidden land bounties to officers of the late army until they had settled their public accounts and paid in balances due.³⁴ Evidently he and others considered that where so many had been delinquent a few should not be penalized.

By his *Federalist* papers and his strokes in the Poughkeepsie convention, Hamilton had helped powerfully to procure approval of the Constitution by New York. But the state would not work heartily in the Union so long as George Clinton, hostile to the new national enterprise, continued governor.³⁵ In the late winter and spring of 1789, therefore, Hamilton was absorbed in Federalist efforts to overthrow Clinton and elect to Congress men of national commitment. This was his further endeavor to make the Constitution a practical success. However, Hamilton was not so eager to oust Clinton as governor that he was willing to see Clinton elected Vice President. Scanning probabilities in the different states, "I see not," he said, "how any person can come near Mr. Adams."³⁶

Melancton Smith, who had been Clinton's floor leader in the fight against the Constitution at Poughkeepsie, and finally yielded on the promise of seeking a new general convention to consider amendments, was striving to heal differences among Clinton's sup-

porters. A main object was to reclaim Gilbert Livingston, member of the Assembly, whose defection may have alienated those insisting on amendments. "You know my sentiments on the Constitution has [*sic*] been that it inclines to an aristocracy. . . . How stand our old Friends toward you? Is former confidence revived, and old grudges forgotten [?] . . . Union among ourselves is the corner Stone upon which our hopes of success in obtaining amendments must be built." Their opponents intended to execute the Constitution as it stood, and forfeit good government "to ages far remote." Decision now might even affect conditions in Heaven! He was isolated in the Federalist hotbed of New York City, where men believed the Constitution was of divine origin. Remember him to friends in Albany.³⁷

George Clinton had been governor for almost a dozen years. Hamilton and his coworkers opened their campaign to unseat him with a meeting of citizens at Bardin's tavern February 11, William Constable in the chair. It was unanimously agreed to support at the coming election (the last Tuesday in April) Judge Robert Yates for governor and for lieutenant governor Pierre Van Cortlandt, the incumbent. Hamilton was named chairman of the all-important committee to correspond with other counties, his colleagues including Troup, Duer, Constable, Burr, John Murray, Richard Platt, and Robert Bowne.³⁸

Hamilton's letter, February 18, to the supervisors of Albany, was to be sent to the other towns. For New York to enjoy due favor in the national government, "their rulers should be men who will neither be seduced by interest, nor impelled by passion into . . . measures, which may . . . forfeit the confidence . . . of the other members of the great national society." The state's chief magistrate should be free from temptation "wantonly to perplex . . . the national Government, whether . . . from a preference of partial confederacies, from a spirit of competition with the national rulers for personal preeminence, from an impatience of the restraints of national authority, from a fear of diminution of power and emoluments. . . ." New York must have influence in the Union in order to repossess the frontier posts and secure proper regulation of her trade. But an artful man (such as Clinton) with control of the council of appointments could fasten himself in the governor's office and be immovable. The state should unite

to support amendment of the Constitution only by the process provided in the document itself. Yates had moderated his opposition to the Constitution, and would promote harmony.³⁹ This letter hoped that Van Cortlandt and Chief Justice Lewis Morris would not compete with Yates for the governorship. Van Cortlandt now announced his candidacy, but Morris soon withdrew from the race.⁴⁰

The city election for a representative in Congress was actually to prove of superior consequence. Hamilton as chairman published the support by meetings at the Coffee House and City Tavern of John Lawrence, a lawyer, his opponent being Jacob Broome, a merchant. In proportion as other districts in the state would elect men of whom the city would not approve, it was important to have a character who "would be disposed to withstand every attempt to *destroy* or *weaken* the national government." He should be "of *early* and *decided* attachment to the federal constitution," which "cannot yet be regarded as entirely out of danger." Mercantile welfare was not the only care of the City; Lawrence was a lawyer, but would take advice of merchants. "This preservation of the government itself, in its due . . . vigor, is an object of the first consequence. . . ." Anyhow, the body of the merchants were said to be for Lawrence.⁴¹

Hamilton's activity as chairman of Yates' campaign in the city is attested by memorandums of voters, places where meetings should be held for the different wards, and leaders who should take responsibility for each (among them Burr, Troup, Webb, Duer, Hone, Dr. T[h]acher). The mechanics also were included; some lists seem to be theirs.⁴²

The letter to the counties favoring Yates, said a newspaper writer in Goshen, "was sent hither by the chieftain of the party [anti-Clintonian junto]—Mr. H——n. . . . every line of it, if I know the stile, is of his diction. . . ." The message would only further distract the state. Hamilton wanted to be governor himself. Recently he told a friend "that his first . . . love, Alexander like, is that of fame." He wanted Congress to be poorly entertained in New York City by the prudent, poor Yates, so the national capital would be removed to Albany, "where the interest of the family with which he is immediately connected . . . is . . . established." The circular had this subtle purpose.⁴³ On the other hand

Samuel B. Webb, of the city, exhorted the northern counties to "work double tides" to defeat the cunning of Clinton's party. It would be salutary if upstaters read a series of letters now appearing in Childs' paper. They take up Clinton's "conduct from a period previous to the . . . late War, . . . will be brought down to the present time, & . . . will contain incontrovertable [*sic*] facts."⁴⁴

These were the "Letters of H.G." by Hamilton, dated almost daily for three weeks beginning immediately after his circular to the counties, with a last one a month later. However, they did not begin to appear in the *New York Daily Advertiser* until March 10.⁴⁵ Hamilton at this juncture, between his law practice, eyeing the beginnings of the session of Congress, and raking Clinton fore and aft, must have had little time for the "round of Dissipation" of which his friend Webb wrote. The city was "gay . . . , a vast number of strangers with us," and soon the theater would open.⁴⁶

The burden of Hamilton's attack on Clinton was that "the whole system of thinking adopted by the Governor has been manifestly adverse to every thing connected with the Federal Government, and has led him to view all its concerns through a jaundiced medium."⁴⁷ He spelled out this obstruction of the central authority—the old Congress, formation of the Constitution, and new Congress—seriatim, drawing on his own painful knowledge. Clinton's obstinate defeat of the general impost, designed to meet the crisis in the country's credit, when all other states had assented, was put most forcefully. Parts of the letters, concerning Clinton's military record and his penuriousness in official entertaining, were unnecessarily personal. The dignity of the series was saved, however, by Hamilton's solicitude for the national welfare. He reprobated Clinton's purpose to keep power in one state, where it must be used destructively. Taken together, the thrusts became another of Hamilton's many pleas for superiority of the national government.⁴⁸

Hamilton's foray against Clinton was answered with spirit by "Wm. Tell" in a run of letters: "Who tells us every day, 'that we have not common sense sufficient to judge or act for ourselves?' I will tell you who. . . . Start not, thou well known Machiavel, wince not thou galled horse! For well I know thee and thy compacted band. Puffed up . . . by an expecting band of syco-

phants, a train of ambitious relations, and a few rich men, . . . didst thou vainly *conceit*, that no man dared attack thee?" Hamilton was called Clinton's "bitterest enemy."⁴⁹

Though Clinton was reelected by only a small majority, he filled still more terms as governor of New York before becoming Vice President.⁵⁰

One of the complaints of H.G. was that Clinton, following organization of the new national government, had called the state legislature so tardily that New York had neither senators nor representatives in Congress during the first session. Hamilton must have been pleased by the handsome victory of John Lawrence over Broome in election to the House. In the choice of United States senators, the contest was as much between State Assembly and Senate as between individuals.⁵¹ After much maneuver in the legislature, stretching over some days of the special session, the Assembly nominated Schuyler and James Duane. The Senate nominated Ezra L'Hommedieu, but the Assembly rejected him in favor of Rufus King, who was accepted by the Senate.⁵²

When the conflict in the legislature was at its height, Hamilton, at Albany, received a letter from King, and "immediately set about circulating an idea that it would be injurious to the city to have Duane elected, as the probability was some very unfit character would be his successor. . . . But a stop was put to my measures by a letter . . . from Burr, announcing that at a general meeting of the Federalists of both houses, Schuyler and Duane had been determined upon in a manner that precluded future attempts. I find, however, by a letter from General Schuyler, received this day, that L'Hommedieu and Morris may spoil all." Hamilton had conflicting reports on L'Hommedieu's attitude toward King. "What does all this mean?"⁵³

Lodge, in comment on the above, has it that Hamilton's insistence—firmer than the letter indicates—on both Schuyler and King as the New York senators laid up trouble for himself and his party. By this he angered the Livingstons, to this time Federalists, who agreed to Schuyler but wanted one of their special following (Duane, who married a Livingston, or another) in place of King who was a recent comer to New York from Massachusetts. At expiration of Schuyler's two-year term he was replaced by Burr,

"the Livingstons were hopelessly . . . alienated, the State became doubtful, and was finally lost to the Federalists." Hamilton's imperious demand had "led him into a fatal error as a politician."⁵⁴

It is impossible to say how far economic revival in America was due to Washington and how far to weather, such was the coincidence of arduous purpose and capricious chance. Short grain crops in Europe created a brisk demand in this country, sufficient even to draw speculators from stocks to shipping. In newspapers and business correspondence of the day one meets many examples. It was "a pleasing reflection, that whilst America is enriching herself by her exports, she at the same time is feeding starving millions abroad."⁵⁵ From England 120 vessels were already dispatched to the United States for corn.⁵⁶ Three vessels from Europe were in the James River for wheat at 7s. 6d. per bushel, "and very little to be had at any price, owing to the large quantity that has been shipped. . . ."⁵⁷ Spain and Portugal were active buyers; the British ship *Margaret*, John Blair, master, advertised that she had a Mediterranean pass.⁵⁸ Arrivals in the port of New York in 1789 had been 120 ships, 233 brigs, 260 schooners, 494 sloops, a total of 1,107.⁵⁹

The best brief description of the prosperity the national government ushered in or that greeted it is in a letter of President Washington to Lafayette reviewing the gratifying manifestations on every hand: "In the last year, the plentiful crops and great prices of grain have vastly augmented our remittances. The rate of exchange is . . . much in our favor. Importations of European goods have been uncommonly extensive, and the duties payable into the public Treasury proportionably so." Our shipping to the East Indies flourished. "A single Vessel Just arrived in this port pays 30,000 dollars to Government."

The President was as pleased with placidity in the administration, a view he must soon revise. He called over the names: ". . . I feel myself supported by able co-adjutors, who harmonize extremely well together."⁶⁰

From war years when Hamilton was "the principal and most confidential aid of the Commander in Chief," he continued in private as well as official stations to offer counsel to Washington. The relation between them in these instances was easy and natural, though Hamilton practiced what he preached by treating his

older friend always with due deference. At the outset of the new government the fancy of some had reached such a pitch that they proposed for the President awesome forms of address, and would prescribe for him semiroyal deportment. It is enough to mention the remonstrance of a Virginia correspondent of *Madison*: "I am sorry to find the Senate governed by an attachment to ye little pageantry of Titles. . . . We have it here (not authoritatively I hope tho') that they have resolved that ye President hereafter . . . be . . . styled 'his highness ye President of ye U.S. and protector of our Liberties.' . . . I hope for ye dignity of human nature that this is false. . . ." ⁶¹

Hardly was Washington inaugurated when he asked Hamilton's ideas on the subject of etiquette. His written answer shows his taste and judgment in suggesting a course that honored the office without offending democratic demands: "The notions of equality" ⁶² were too strong to allow the President to be separated from the other branches of government as far as was really desirable. The President should hold one formal reception a week, attended by invited persons; he would converse with guests on "indifferent subjects" and after half an hour withdraw. His stated entertainments might be on a few national anniversaries; then, and at small family dinners, he would meet official persons. He would return no visits. For the rest, only secretaries of departments, ambassadors, and members of the Senate should have direct access to him. Members of the House, who were not so privileged, might be satisfied with the reminder that the Constitution made the Senate advisory to the President in certain respects. Washington was grateful for Hamilton's advice, and wished for more as occasion arose. ⁶³

Secretary of the Treasury

As revenue for the new national government was the immediate imperative, provision for the officer who was to manage the finances was not reached until Congress had been in session more than two months (May 19, 1789).

Boudinot then moved that the House go into Committee of the Whole, where he at once broached the organization of executive departments.¹ The departments of the Confederation were at an end, or could not conduct business. He gave priority to establishing "an office . . . for the management of the finances of the United States, at the head of which shall be . . . the Secretary of Finance." He should "superintend the treasury and . . . finances . . . , examine the public debts and engagements, inspect the collection and expenditure of the revenue, and form and digest plans for its improvement." Only after administration of the finances had been settled should Congress move to the departments of war and foreign affairs.

Benson was for designating these three departments, and their duties could be defined afterward. Vining, from Delaware, which had no Western claims, wished a home or domestic department included to manage territorial possessions, but relinquished the point when Madison moved for secretaries of foreign affairs, treasury, and war, in that order. Livermore thought the treasury deserved precedence, but the committee agreed to consider the office of

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foreign affairs first. Madison had proposed that each secretary "shall be appointed by the President, by and with the advice and consent of the Senate; and . . . be removable by the President."²

The method of naming the department heads was accepted, but removal, whether by the President, also by the impeachment procedure, or by the President with the consent of the Senate, was sharply debated. Did the secretaries hold their posts at pleasure, or during good behavior? In favor of the first was the contention that the President had the initiative in nominating his chief advisers, and, being responsible for their performance, should be able to displace them. The duty of dismissal for cause would quicken his watchfulness over them. He might himself be impeached for neglect of this. On the other hand, if he abused the prerogative, he had it in his power, by changing the ministry, to throw the government into confusion and make himself a monarch. Should not approval of the Senate be stipulated, at whatever risk of confusing legislative with executive functions? It was taken for granted that heads of the executive departments could hold over from one presidential administration to the next. This expectation, or practice, was not altered until some years later. As we shall see, it permitted secretaries to maintain their places in successive Federalist Cabinets, which continued Hamilton's influence over the central government after he himself resigned. This had been the position of Hamilton in *The Federalist*, as was noted by his friend William L. Smith of South Carolina later in the debates.³ The end of the discussion was to declare "the power of removal to be in the President."⁴

The Treasury Department was then taken up out of order. Immediately the issue was joined on whether it should be conducted by an individual or by a board. Gerry, who had served on a committee of the old Congress to supervise the Treasury, preferred a board, and the question seemed so important that adjournment was taken to permit a settling of minds. The next day Gerry returned to the attack on a single minister. His vehement reasons poured out in rapid succession in a long speech in which he contradicted himself: "A single officer to have the command of three or four millions of money, possesses a power very unsafe in a republic," for he could embezzle, speculate, confuse the accounts beyond detections of his frauds, and keep his willing minions in service. From

suspicion, Gerry turned to sympathy for the unfortunate person on all sides made the object of accusation: "it is as much as his reputation is worth to come into a place of this kind; he can hardly preserve his integrity. His honor, credit, and character, must inevitably be injured." Not only vague rumor, but express charges against a former Financier (Robert Morris, though his name was not mentioned) had damaged government itself, and compelled a return of the Treasury to commissioners. Besides, Gerry doubted whether a fit person could be discovered in the whole country. During the war a foreigner, Dr. Price, had been appealed to, but in vain. The former able Financier "is now employed in another branch of the Government"—Morris was in the Senate—"and cannot be called to this trust." Indeed, the clamors against him in his old post had tainted his election to the upper house. (This may have influenced President Washington to choose Hamilton rather than Morris to head the national Treasury.)

Further, Gerry showed that this office demanded freedom for devising large policies, and a man with genius for this should not be burdened with routine administration. If one of three commissioners, he could expect his fellows to perform subordinate duties. Though he put such a premium on originality in one commissioner, Gerry thought all three could be employed for the salary that must be offered to a single secretary.⁵

Jeremiah Wadsworth came back with a broadside against the irresponsibility and inefficiency of the boards of Treasury. He had dealt with the Financier too, and found him by contrast to be "master of the science in which he was engaged," serving the needs of the war, publishing clear accounts which would have been settled ere this but for the fogs that wrapped the board that succeeded him. The people overwhelmingly demanded a single head of the Treasury.⁶ Egbert Benson, to prove how one commissioner expected to hide behind another, recalled that above twenty had applied for appointment on the board that replaced Morris, whereas "if this trust had been . . . reposed in one responsible individual, not perhaps more than three of the candidates would have had confidence to come forward . . . for the office." Baldwin, similarly, was for a single minister, properly checked within his department, as indeed Boudinot had originally stipulated. Baldwin proposed "a Comptroller, Auditors, Register, and Treasurer. He

would not suffer the Treasurer to touch a farthing of the public money, beyond his salary. The settling of the accounts should be in the Auditors and Comptroller; the registering them to be in another officer, and the cash in the hands of one unconnected with either.”⁷

Gerry again endorsed a board, but feebly. Boudinot, with his usual talent for reciting particulars, must have persuaded the wavering against multiple management of the Treasury. He drew the “intolerable comparison” between waste under the first board and economies and energy under the Superintendent of Finance. He pointed to one case after another. The yelps of the bloodsuckers brushed off were praises of Morris’ prudence. A competent secretary could be found at home, and must be, for only one knowing this country could serve its Treasury. Boudinot’s arguments repeated those used by Hamilton a decade before in letters from Washington’s camp. Bland and Gerry—a combination of Virginia and Massachusetts indicating how diffused was distrust of genuine reform—made a last effort, this time to hang commissioners around the neck of the single head. But Madison’s scheme of three departments, each under a responsible officer removable by the President, was approved, and the following day the House passed the resolve and named a committee from all the states to bring in a bill to organize the executive branch.⁸

While this was doing, in the next three weeks, other matters occupied the attention of the House. Two of these were to affect the Treasury—duties on imports and the mode of their collection, and the disposition of public lands in the Western Territory. Thomas Scott of the overmountain region of Pennsylvania, in a sensible speech which sprang from his intimate acquaintance with the question, urged that an office be set up to sell government lands in small parcels to actual settlers. Otherwise several thousand persons, already in the area and determined to avoid purchase from speculators, would either seize their clearings or would alienate themselves to the Spanish possessions. But others were for delay, including Clymer of Philadelphia who put forward the claims of companies buying enormous acreage, and the proposal was referred to a subcommittee.⁹

When the establishment of executive departments was again brought on, that of foreign affairs was first considered, and oc-

cupied a solid week of debate, mainly in Committee of the Whole. The issue as before was whether the secretary should be removable by the President. Or must the Senate, joined with the President in the appointment, agree to dismissal, as an intermediate means of legislative control more practicable than the ultimate impeachment procedure? The real question was the independence of the executive branch under the Constitution. How far should this branch have responsibility, how far be under checkreins held by Congress? Members eager for energy in government, who guessed the scope which administration of the laws was to achieve, were pitted against those jealous for predominance of the legislature. The Constitution left room for doubt. In groping for a right construction in this first session of Congress, division of speakers was not on regional or what soon became party lines.¹⁰

Beneath the debate ran a current of fear that autonomy given to the President in foreign affairs would apply more menacingly to the Treasury. Thus Jackson of Georgia agreed that the proposal was being ingeniously handled, "for the committee have taken care to bring in the present bill, previous to the bill for organizing the Treasury, that the principle might be established before that more delicate business came into view." He went on to charge that "if the President has the power of removing all officers who may be virtuous enough to oppose his base measures. . . . Your treasury would fall into his hands; for nobody in that department would dare to oppose him. Having then the army and the treasury at his command, we might bid a farewell to the liberties of America forever." Scott of Pennsylvania, whose sinfulness¹¹ made him more relaxed, made capital fun of such "frightful pictures," the worst of all being "that the Treasurer must be the mere creature of the President" who "arbitrarily removes him from office, and lays his hands violently upon the money chest. . . ." But this proved too much. A virtuous Treasurer could not halt the President who, supported by army and navy, "would . . . carry away the money and the Treasurer too. . . ."¹²

Benson of New York sought to bring both sides of the House together and to forestall possible objection in the Senate. He offered amendments which rested the President's power of removal of the head of an executive department on construction of the Constitution, not on gift of the House. In this form the bill passed,

31 to 19.¹³ The bill for the War Department was passed in similar form, with minimal debate.¹⁴

Consideration of the Treasury Department was resumed June 25, 1789, after more than a month's intermission. Debate turned on the words in the bill making it the duty of the secretary to "digest and report plans for the improvement and management of the revenue, and the support of the public credit." Opponents were for restricting him to a passive rôle, since the power of originating money bills was deposited by the Constitution in the House. The secretary, on his own motion, might actually cast his proposals for revenue in the form of bills. From the deference commonly paid to position and specialized knowledge, the House would surrender its own judgment to the secretary. His articulated measures must be either accepted or rejected in the whole. Under these circumstances an executive officer would supersede the House in one of its main functions. Some members took flights in which they supposed the House might resign its existence altogether.

It was true that the Chancellor of the Exchequer proposed fiscal legislation to the House of Commons, but he was a member of that body, and his ministry must stand or fall before the people, depending on the reception given to his plans. But here in America it was urged that money bills be forced upon the representatives "by a man destitute of Legislative authority," who would "obtrude his sentiments perpetually upon this body." The secretary would be "foreign" to the House. The privilege bestowed on him was modeled after the latitude accorded to the Superintendent of Finance, but remember that the old Congress was both executive and legislature, and its revenue measures must be referred to the states for sanction. Several thought the members of the House, knowing the preferences and capacities of their constituents, were competent to framing fiscal legislation, with the aid of the secretary, who would furnish specific information when called for.

Those for centering first responsibility in the head of the Treasury were quick to declare that opponents betrayed ignorance of the problem. Ames sketched the confusion that wrapped the government's financial affairs: "it presents to the imagination a deep, dark, and dreary chaos; impossible to be reduced to order without the mind of the architect is clear and capacious, and his power commensurate to the occasion; he must not be the flitting creature of a

day. . . . It is with an intention to let a little sunshine into the business that the present arrangement is proposed. . . ."¹⁵ The most important service of the secretary, said Benson, "is that of digesting and reporting plans for the improvement of the revenue, and supporting public credit"; he despaired of seeing the resources of the country drawn forth "unless the business is submitted into the hands of an able individual." He embarrassed Gerry, now for limiting the secretary, by reminding that he had approved such powers for a Board of Treasury.¹⁶

The representatives, on brief tenure and uninformed except by local views, would flounder long before they could find a main channel in which most could swim. The secretary, on the contrary, with superior and comprehensive knowledge, could bring the House to a focus by presenting plans which could be amended or corrected as legislative wisdom required. Given incentive, the secretary would be zealous; his reputation would hang on his performance. This would be more productive than merely putting him at the bidding of the House. The danger of his wielding undue influence, Madison insisted, was far less than the injury from bungling without his guidance. "From a bad administration of the Government, more detriment will arise than from any other source."¹⁷ Sherman answered the objection that the secretaries of foreign affairs and war had not been authorized to make proposals to the House. The Constitution directed them to the President, who was the intermediary in those spheres, while revenue powers vested in the House.¹⁸ Were members so alarmed as to forget that they alone could enact such laws? Though the Secretary of the Treasury might, for the convenience of the legislators, offer his plans drawn up as bills (which in fact he was often to do), they were not such until regularly introduced.¹⁹

FitzSimmons reconciled differences by an amendment. Nobody had objected to the secretary devising a plan "and giving it in when it was called for." Therefore change the word "report" to "prepare." Some incidental proposals for the Treasury were accepted. The jurisdiction of the secretary over Western lands was made more general and vaguer. Of importance was Burke's stipulation that anyone employed in the Treasury who was concerned in commerce or speculated in the public funds should be held guilty of a high crime.²⁰

The Committee of the Whole reported the amended bill June 30; the next day the House ordered it engrossed, passed it July 2, and sent it to the Senate.²¹ Here concurrence was voted July 31, 1789.²²

The act²³ declared the duty of the secretary "to digest and prepare plans for the improvement and management of the revenue, and for the support of public credit; to prepare and report estimates of the public revenue, and the public expenditures; to superintend the collection of the revenue; to decide on the forms of keeping . . . accounts and making returns, and to grant . . . all warrants for monies to be issued from the Treasury, in pursuance of appropriations by law. . . ." He must "make report, and give information to either branch of the Legislature, in person or in writing (as he may be required), respecting all matters referred to him . . . or which shall pertain to his office. . . ." Though members of the House had disputed so long about the wording, to be sure that the secretary did not volunteer guidance, the last clause in fact gave him latitude. The secretary was to appoint his assistant. Description of the functions of other officers embraced a wise system of checks of one upon another to protect the public monies.²⁴

This jealousy of ministerial responsibility was echoed by a newspaper complainant when Hamilton's first report was under debate. "When the representatives of the people allowed the S——y of the T——y to report, *conceive*, and give S——y's opinion, they . . . opened a road to dangerous personal influence. . . ." Hamilton had no business offering his view of discrimination and assumption; the whole duty of the secretary was to "keep the accounts." The critic weakened his point by his phlegm.²⁵ On the other hand, a friend of Madison who nevertheless supported Hamilton on assumption remarked, "We had a report . . . that the Sec'y of the Treasury was killed in a duel and were all in mourning."²⁶

After brief debate²⁷ the salary of the Secretary of the Treasury, as also that of the Secretary of State, was set at \$3,500.²⁸

Our knowledge of particulars of Washington's choice of Hamilton to head the Treasury Department is in accounts by Robert Troup and by Bishop William White, the latter as given to Hamilton's son orally. White, brother-in-law of Robert Morris, said

Washington inquired of Morris, "What are we to do with this heavy debt?" Morris replied: "There is but one man in the United States who can tell you; that is, Alexander Hamilton. I am glad you have given me this opportunity to declare to you, the extent of the obligations I am under to him." Troup recorded that Washington, immediately after his inauguration, "called on Hamilton, and told him it was his intention to nominate him to the charge of the financial department" as soon as it should be organized. Hamilton next day requested Troup to wind up his law practice if he were appointed. Troup, willing to oblige, yet pointed out that abandoning the law for public office would entail a sacrifice for Hamilton's family. Hamilton readily admitted this but felt he could not refuse the President's invitation to an assignment in which he "could essentially promote the welfare of the country." Earlier, Hamilton had confided to Gouverneur Morris his hope for this opportunity. He dismissed Morris' remonstrance that the Treasury post, of all others, promised calumny, with the conviction that "it is the situation in which I can do most good."²⁹

This seems reasonable on all counts. During the Confederation, General John Sullivan had brought Hamilton's fitness for the highest fiscal position to the notice of Washington. Robert Morris knew intimately of his qualifications, first from correspondence and later when Morris had induced Hamilton to serve under him as collector of continental revenue for New York. The President had every reason to seek and trust Morris' recommendation. At the same time, Morris himself would not be receptive to nomination, for he had prolonged his superintendence of the finances of the Confederation against his wish, and was still burdened with complicated accounts in the aftermath. Washington had witnessed, in the Constitutional Convention and afterward, Hamilton's deep concern for the success of the new government, not least in his ardent plea that Washington accept the Presidency. Troup's testimony would be accurate on the point, and it was natural that Hamilton should express his inclination to Gouverneur Morris, who was skillful in public finance.

Further, a few weeks after Washington's inauguration Madison confided to Jefferson, with critical passages in cipher, that Jay or Hamilton would be proposed for the Treasury. "The latter is perhaps best qualified for that species of business and on that ac-

count would be preferred by those who know him personally," (which Washington surely did), though "The former is more known by character throughout the U.S."³⁰ This suggestion of Jay, even without the knowledge of hindsight, must appear wide of the mark. Madison in the same letter said that "Chancellor Livingston wishes this department, but will not succeed." Livingston, the proposer of a bank in New York City,³¹ had better pretensions to financial bent than were possessed by Jay, who had not manifested such faculties. Madison remarked that Jay could surely remain as Secretary of Foreign Affairs if he chose. Nor is evidence furnished that "Washington offered Jay his choice of positions under the new regime."³² True, Charles Pettit of Philadelphia begged Jay to recommend him for comptroller. But Jay merely transmitted to the President Pettit's desire, explaining to the applicant that only the chosen head of a department should express a preference for subordinates. Those who had mentioned Jay's name for the Treasury "do me more Honor than my Qualifications for that place merit; nor have I the least wish or Room, to expect, to be employed in affairs of that kind. . . ."³³

It may be that Vice President John Adams, when almost three months in office, had tolerable knowledge that Hamilton would be appointed to the Treasury, but he was not certain. The reader may judge from the note he wrote Hamilton on July 21, 1789, introducing his second son, Charles, who had just taken his degree "at our University of Cambridge" and was destined for the law. "I wish to get him into some office in New York, and should give the preference to yours." Two contingencies were in the way. Congress might force Adams "to Philadelphia or the Lord knows where: the other that you may become a Minister of State, or some other Thing better or worse than the Practice of the Bar, but . . . incompatible with it."³⁴

The act establishing the Treasury was passed September 2, 1789; Hamilton was commissioned as secretary on the 11th.³⁵ Inviting Wolcott to the position of auditor of the Treasury, Hamilton expressed his special wish that he would accept, in spite of doubts intimated by his friends, and come on at once.³⁶ The two had not met before; this was the beginning of a mutually fruitful friendship, trusting between the two and serviceable to the Treasury and the country. Wolcott was to move steadily to more

responsible duties. His competence and dependability in fiscal procedures freed Hamilton—as far as he allowed himself to be relieved—for framing policy. Others in the Treasury came and went, but always Wolcott remained the ready helpmeet. He did well to preserve a copy of Hamilton's letter to the President recommending him for promotion to the post of comptroller when Eveleigh died, for the praise was high.³⁷

A fortnight after Hamilton was installed, the President, asking his advice on further appointments, disclosed that he intended to nominate Jefferson as Secretary of State and Edmund Randolph as Attorney General.³⁸ Jefferson, held up at Cowes by contrary winds, was unable to sail for America until near the end of October, 1789.³⁹ He was at sea before his friends in Europe heard that he would be offered the post of Secretary of State. Trumbull's news from America, as late as September 27, gave Senate confirmation of Hamilton and Jay, but "No Secretary for foreign affairs is nominated."⁴⁰ The same day, however, Church in London read John Rutledge a letter from Hamilton, September 28, telling of appointments of Jay, Osgood, and Wilson, and adding "Mr Jefferson will have offered him the foreign department."⁴¹

When it was known that Hamilton would head the Treasury, and even before on the strength of his influence with the President, he was besought to find government places for friends, their sons, and friends of friends. This continued throughout the Federalist administrations. He early gave to one recommended by Fisher Ames his rule in such cases. Nothing was available at the moment; for the future he could only have the applicant in remembrance. "Propriety requires that I should keep myself in a situation to weigh every circumstance at the moment & to act as shall then appear for the public interest."⁴² Washington referred to him and Jay a list of eligible applicants for suitable offices to say whether one seemed preferable to Osgood for Postmaster General. On the roster were Jonathan Dayton, R. R. Livingston, Lewis Pintard, Wm. North, Arthur Lee, and many more.⁴³ These possibles had already been screened, as had James Duane whom Hamilton had notified of his nomination as district judge for New York. Duane had sought no place,⁴⁴ and McHenry, in "very easy . . . circumstances," was far from importunate.⁴⁵ However, in another case the sickness of an officeholder prompted a sponsor (Dr. John

Witherspoon, no less) to propose a candidate to replace him if the illness proved fatal.⁴⁶

Hamilton always urged that the goodness or badness of a government would consist quite as much in the actual conduct of it as in its ideal construction. The Constitution and laws would be tested, for acceptance or disagreement, by the wisdom of day-to-day administration. This lesson resulted from the loose management of the colonies, of the Revolution, and in the period of the Confederation. Hamilton was impatient, during the Constitutional Convention and afterward, with much declamation about principles, important as these were, to the neglect of practice which was to be the proof of the pudding. He knew that what was put down on paper, after much dispute, remained to be brought to life by energy and fairness of enforcement, or left a dead letter. In his solicitude for the behavior, as against the mere scheme of government, he anticipated by a generation the practical recommendations of Friedrich List and others who established a school of political science destined to prodigious influence and expansion. The whole diversified area of public administration and administrative law which illustrate the executive function owes much to Hamilton's early example.

He no sooner assumed headship of the Treasury than he commenced to practice what he preached. His was the most critical assignment for proving the vitality and serviceableness of the new government. Extraction and disbursement of revenue were jealously watched. Someone has said that it is only decent in a citizen to object to taxes. It was peculiarly true then when government had been flouted in an overwhelmingly agricultural society in which every proprietor, small or large, met the needs of his own family and dependents. Government had occupied so small a sphere that its intervention in affairs of the community was suspect. Hamilton throughout his career encountered this repugnance, indeed active resistance, to central authority. The anti-Federalists cherished local autonomy. Hence his Trojan opponents feared the Greeks though bearing gifts. Finding financial support for national government was hard; rendering government useful was almost as vexing. Ironically, government favor in employment and expenditure on public works was eagerly sought.⁴⁷

From the beginning, legislative debates and determinations were read as widely as newspapers and correspondence could reach.

But toward Congress there was a tolerance because lawmakers had been chosen by the people they represented. At the first the federal judiciary hardly figured, though, commencing with John Marshall, it was to exercise unexpected influence. Special scrutiny was fastened upon the executive, because this division of government had operative responsibility, had the proliferation of agents, and these (albeit in chief instances with senatorial sanction) were appointive. The War Department was kept anemic; the State Department dealt primarily with foreign relations, often distant in place and time. The Treasury Department, by contrast, was domestic, vital, and hence was a chief target of criticism. And not only on fiscal grounds, for every action of the secretary was clothed with political blessing or bane, depending on the interest of the viewer.

Many public figures have gained fame for superb specialized achievement, notably in military exploit. Or one may live in grateful memory because a wise philosopher and counselor, though less of a doer. Peculiar esteem belongs to the few who can both plan and execute, who embrace at once thought and action, who show mastery in the large and the little. Hamilton's tenure of the Treasury demonstrated his possession of this combination of proficiencies.

Our fullest record of his conduct of the Treasury internally is in his directions to customs collectors at the ports. Usually in the form of circulars, these were supplemented by particular letters where local conditions required.⁴⁸ This being at the outset of his service, when it was all-important to fix Treasury precedents, he enjoined exactitude, punctuality, and consistency. He constantly cited the law. At the same time it was necessary to be flexible, because problems arose in experience which the statute did not foresee, and because it was desirable in instances not to make a sudden, violent break with state practice. He must be firm but use reason and moderation. Import duties were the chief source of federal revenue, so the first intent of his decisions was to protect the Treasury. However, if his regulations were harsh he would sanction departures such as had been too long studied and indulged. In the whole business of the customs he took pains to inform himself of prior state requirements, and urged collectors to report where improvements could be made in federal rules.⁴⁹

In precautions he took against traders' tricks, his own experience as Cruger's clerk on St. Croix doubtless instructed him. He had seen at wharf and custom house how merchants and shipmasters obviated the laws of Denmark and of British and Spanish America in several ways. His knowledge of scores of practices—tare, port charges, time for unloading vessels, and so on—must have been supplemented by familiarity with these matters of several on his staff, particularly Duer and Tench Coxe. Some of the instructions may have been drafted by one or another of his able assistants, but his personal attention is unmistakable in subject matter, decisions, revisions, and turns of expression. All was well bestowed at this time when habits were being formed. He admonished one collector who reported failure of the merchants in punctuality: "The uncertainty that would arise in the operations of this department, and in the most momentous affairs of government from defaults at the custom house obliges me to refer you to my instructions on this point which must be strictly executed. Should any bonds which are now due remain unpaid you will place them in the hands of the Attorney of the District."⁵⁰ The share of his time devoted to the customs service in his beginning months in the Treasury is remarkable since it was then he was preparing his voluminous decisive first report on the public credit.

Extracts from his instructions will illustrate problems and how he dealt with them. Where possible he was always specific. Thus, "Should any vessel come within your district from another which has not her name painted upon the fixed work of her stern, which is nailed or screwed to her, it will . . . be adviseable to demand from her foreign tonnage and if disputed . . . let it be persisted in to a judicial determination."⁵¹ Hamilton was hardly in the Treasury before he practiced what he preached about the service of bank notes. In a circular he notified collectors of "my desire that the Notes of [the Banks of North America and of New York], payable either on demand or at no longer period than Fifty-Days . . . should be received in payment of duties . . . equivalent to Gold and Silver," and they would be accepted as such by the treasurer. This would facilitate remittances from the states without drawing away their specie. Further, the treasurer would have occasion to draw on collectors for the salary of members of Congress, and these drafts should be received in payment of duties or in exchange for

specie.⁵² He sent to each collector “the signatures of the president and cashier of the Banks of North America and New York; together with a . . . description of those notes; which will enable you to guard against . . . Counterfeits. . . . The mode in which the Bank-notes are to be transmitted is this: each note is to be divided into two equal parts, from top to bottom, one part containing the name of the President and sum, the other the name of the Cashier and sum. Your own name in your own hand-writing is to be written on the back of each half, together with the number and sum of the note. . . . you will remit all the notes . . . weekly” to the treasurer, “one half of each note by one post, and the other half by the next, accompanied in both cases with a list of the notes,” and take further precautions, including a receipt from the postmaster.⁵³

Some of the forms of manifests sent to the Treasury had been carelessly filled up, so that “it would be no difficult matter, for the master of a vessel, to insert articles, not known to the Collector . . . where she cleared after the manifest was sworn to before him. In order to guard against such attempts . . . 1st. The quantities of the Articles . . . must be expressed in Letters not in figures. 2^d Each article must be classed and numbered distinctly, that is to say: . . . N^o1. Ten Hogsheads of Tobacco.

N^o2. Twenty Barrels of Flour

N^o3. Six Tierces of Rice”

and the collector should “Specify in Letters” in his certificate the number of items in the manifest.⁵⁴

Hamilton in administering the customs reduced discretionary authority to the minimum. No discount should be allowed for prompt payment where bond was given for securing the duties.⁵⁵ Were American goods, exported but brought back for want of a market or other cause, liable to the same duties as foreign goods of the same kind? Congress did not consider this contingency, but as the law made no exemption the duties must be collected until legislative relief could be had. Doubt had been expressed whether vessels must pay tonnage at each entry. Counsel construed the law as requiring it.⁵⁶ Were duties demandable after August 1, 1789, when the federal law went into effect, but before the custom houses were organized? Though collectors might still be operating under state law and vessels might be obliged to pay double duties, the

federal tax must be demanded under an action for debt. "But in the manner of advancing . . . the claim, I . . . recommend all the moderation which is compatible with the end."⁵⁷

A prime object in these and similar cases was to render practice uniform at all customs houses. However, a correspondent of Madison thought Hamilton departed from this purpose and undertook to repeal the law in an important particular. While the statute said duties should be paid in actual specie only, Virginia collectors had received the secretary's instructions to accept notes of the banks of Philadelphia and New York. This might prove "destructive . . . to this State by drawing all the specie from it," since, evidently, the notes did not circulate there, and ultimately could be "ruinous to the United States."⁵⁸ Hamilton took responsibility for this interpretation, which amplified the money supply and facilitated prompt payment of customs. Indeed, with restrictions, specie could be exchanged by collectors for bank notes.⁵⁹

Puzzling cases requiring construction of the law, where of consequence, were referred by Hamilton to the district attorney, Richard Harison.⁶⁰ It was the latter's opinion that a vessel belonging to a citizen residing abroad lost the benefit of her American registry, but it was advisable to procure a specific act of Congress declaring this.⁶¹ A vessel bringing teas from China or India and merely touching at St. Eustatius, where the teas were not landed, did not forfeit the lower duties applicable to direct import. This opinion was given to John Lamb, collector at New York, but Harison added, "as the question is of very great magnitude, I would . . . Consult the Secretary of the Treasury before you make any decision."⁶²

Hamilton, in accordance with the intention of Congress, early authorized collectors "to employ Boats for the Security of the Revenue against contraband." He sought information from the collectors on the need for these, their proper character and cost.⁶³ The service of these revenue cutters became the later United States Coast Guard.⁶⁴ In approving two such vessels, and no more, based at New London, he was glad to know these "would not be disagreeable to your merchants; as I feel a strong conviction that a certain number of cruising vessels will be found equally beneficial to the fair trader and to the Revenue."⁶⁵

He gave to the little cutters—their construction, manning, and

maintenance, all at minimum cost—his strict attention. Some particulars are worth reciting because they show the importance he attached to their function, and illustrate his customary thoroughness in all that devolved on his department. He secured the President's approval of each captain and mate appointed. It was the day of small beginnings, but the first provision would determine later expansion.⁶⁶

In the autumn of 1790, names of eligible captains were before the President. As soon as one was chosen, he would superintend construction and fitting of the cutter he would command. In the meantime, collectors were to make tentative contracts for the boats. His inquiries at New York indicated that "a complete Vessel capable of keeping this Coast in the Winter season may be fitted for One Thousand Dollars," and though local construction was desirable, this cost was not to be exceeded anywhere by more than 10 per cent. He enumerated "all requisite masts, spars, sails, cables, cordage, anchors, a Boat &c^a" The cutter for Boston station was to be built at Newburyport for \$22.50 a ton, or above 44 tons for \$1,000.⁶⁷ The contracts should specify the Number One sail-cloth of the Boston factory; the piece was warranted to contain 39 yards, three-quarters of an inch wider than British, and sold at \$11, but he wanted to be informed how much of it would be needed for each vessel so he could order the whole at a saving.⁶⁸ He enumerated the items in a ration, not forgetting that "the article of rum may be as sparingly supplied as possible"; half a gill per man per day would be enough.⁶⁹

Hamilton guarded assiduously against frauds on the customs, which had been habitual under British and state management. Prior to the Revolution, a Massachusetts man reminded, "to . . . overreach a revenue officer was highly meritorious in this Country. The Hero . . . had the most cordial winks . . . from men of eminence." Discriminatory state imposts met with similar contempt, "so that we daily see many articles retailed at a less price than the sum of the duty on them. . . . it will . . . take a length of time to lead the public mind into a just train of thinking on the subject."⁷⁰ Unless an "eagle-eyed Comptroller," another warned, made regular rounds of the collectors with searching examination, "one half of your custom House officers will turn rascals within a year." Such a vigilant surveyor would "detect more errors, neg-

lect, fraud . . . in one . . . visit than the Secretary of the Treasury would to all eternity."⁷¹ In fact, Hamilton made up for his remoteness by constant communication with surveyors and collectors as well, and provided the customs with a cutter service to frustrate smuggling. How hard Hamilton worked customs officers was testified by Wm. Heth on James River: "The incessant application I was obligd to pay to the duties of my office for the past 2½ years, has injured me more, than all the fatigue . . . which I experienced thro' the late war."⁷²



Rescue of Public Credit

ONE who examines Hamilton's celebrated reports which shaped public policy is impressed not only with their constructive force but with the particular study which went into their preparation. The proposals were buttressed by laborious inquiry. That was before the days of ghost writers or of government bureaus furnishing research services to assistants of cabinet ministers. Aside from occasional help that he could draw from Duer, Wolcott, and Coxe, and mere records kept by the registrar and other subordinate officers, Hamilton must discover and organize materials, frame and present plans. His manuscripts, containing sometimes several drafts of a paper, or a single draft much amended, with now and again work sheets of outlines and data, are eloquent of his pains. John Marshall, whose judicial opinions required similar personal application, appreciated the foundation as well as the façade of Hamilton's erections. "To talents equally splendid and useful," wrote Marshall, Hamilton "united a patient industry, not always the companion of genius, which fitted him, in a peculiar manner, for subduing the difficulties to be encountered by the man . . . placed at the head of the American finances."¹

Hamilton tasked himself severely enough without being obliged to investigate claims of individuals and supply answers to minor queries referred to him by Congress. Some of these he doubtless committed to members of his small staff, but he must examine and approve all that was done. He never complained, but frequently

alluded to pressure of routine business which compelled him to extra exertion to complete assignments of more consequence. However, a Massachusetts admirer wrote to Sedgwick: "I wish I had it in my power to impeach all the members of yr house on the ground of an intention to destroy the Sec^y of the Treasury. The people . . . here find . . . fault with Congress to refer so many paltry matters to this truly . . . valuable man, whose labors . . . ought to be confined to the . . . weighty objects of Government. . . . The loss of such a man wo^d derange and embarrass the Government exceedingly."²

Rarely has so much and such vexing "old business" confronted a new regime as was bequeathed to the Treasury by the various administrations of the finances under the Confederation. The other departments had little of this detritus to deal with, but of course the national government assumed the financial obligations of its predecessor, and these belonged in Hamilton's bailiwick. The kinds of commitments of the Confederation and of the states would require several pages to enumerate.³ They must be described as recording every desperate device to which Congress and the legislatures had resorted to wring further supplies and services in spite of prostrate credit. As a taste, the Connecticut debt was a congeries of notes payable at various dates to the state line of the army; notes issued by particular acts of Assembly; others for remounting dragoons; more in lieu of old notes reloaned; certificates for interest; unpaid balances payable from a specific tax; state bills emitted in 1780; pay table orders, and old emissions antedating the war.⁴ If the sorts of claims afloat were many, the unsettled accounts of Congress, the states, boards, commissioners, deputy quartermasters, and commissaries were confusion worse confounded. Said Madison, "We are in a wilderness, without a single footstep to guide us."⁵ And Fisher Ames bemoaned "throughout the whole scene . . . a deep, dark, and dreary chaos, impossible to be reduced to order without the mind of the architect is clear and capacious, and his power commensurate with the occasion."⁶

Taught by derelictions before, and to provide for the long future, Hamilton must devise a rational and reliable system of accounts for the new national Treasury. Though less conspicuous, this was scarcely subordinate to the duties of proposing revenue, paying debts, and setting up a bank. It has frequently been affirmed that

the plan he laid out for certainty and safety has endured in its essentials to the present.

Hamilton had been in office only four days when he received a requested explanation from Benjamin Walker of the method of keeping the Continental books and of progress made in adjusting the different accounts. Those between the states and the United States and "Mr. Morris' commercial accounts" remained unsettled; seven years would be needed to close them, but in half that time a separate office for them could be dispensed with.⁷

Wolcott, at this time auditor of the Treasury, and practiced in bookkeeping, volunteered to Hamilton in detail "a plan for keeping the accounts of the *Funded Debt* and for regulating the payment of *Interest*." This scheme would relieve the Treasury of minutiae, simplify calculations, prevent forgeries, preserve a check on expenditure of public money, and "tend to distribute the public debts in proportion to the resources collected in the different parts of the United States."⁸

Attributing influence upon an author or statesman, in the absence of specific acknowledgment, is uncertain. However, we know that even one as original and perceptive as Alexander Hamilton read diligently, consulted previous experience. He did not simply call down lightning. In Volume I, pages 385-387 of the present work, his evident debt to several writers has been remarked, mainly with reference to political principles. Here some of the same and additional models may be briefly cited for their fiscal instruction. Postlethwayt's *Universal Dictionary of Trade and Commerce* is "a huge storehouse of economic facts, laws, and theory,"⁹ which we know Hamilton early studied and later drew upon. Postlethwayt accepted Cantillon's preachment that abundant circulation would generate mercantile, agricultural, and industrial activity. This reminds exactly of Hamilton's insistence on the quickening effects of more currency and credit. However, Hamilton refused to believe that national indebtedness, if that must be the means of blood flow in the economic body, would destroy this country's export trade. Public encouragement of arts and manufactures, prominent in Hamilton, was likewise urged by Postlethwayt, who in *Britain's Commercial Interest Explained and Improved* wished to remodel the Royal Society for scientific research and promotion of industry and trade. Both advocated re-

wards for discoveries and inventions. Hamilton may have remembered, or reverted to, Postlethwayt's discussion of "Public Credit," where the history and benefits of the British system of funding and redemption of debt is admirably described.¹⁰ Hamilton adopted its features.

Nearer home was Pelatiah Webster with his *Political Essays on the Nature and Operation of Money, Public Finances . . . Published during the American War* (Philadelphia, 1791). Webster's "Dissertation on . . . the Office of a Financier-General" (1781) barely preceded appointment of Robert Morris to that arduous duty. The counsel fitted Hamilton's responsibilities a decade later. Such a minister must "point out, arrange and put into action, *the ways and means by which the necessary supplies of the public treasury may be derived*" and contrive "that the same be done with most *ease, decision, and expedition . . . and at the least expense. . .*" The ways and means of supplies must be arranged in a clear and particular manner for the comprehension of Congress "of the whole and all the parts."¹¹ The man whose duty it was to find the money would be most likely "to spy out and check any . . . *waste*."¹² Among the "capital errors of finance" Webster descanted on the evils of "suffering the public credit to decay." This jewel would not be cherished by "aggregate bodies" where blame for mismanagement was tossed from one man to another, but only by "a single *person*. Besides, from . . . the design and uses of the office . . . *it must be the work of ONE MIND*."¹³

✕ Many have supposed that Hamilton's expedients for rescuing the public credit and launching the new nation on a prosperous course were strokes of native genius. His fiscal system deserves to be called original because it was resolute, comprehensive, closely knit, and individual features of it were novel. But he was too good a workman not to search experience of European countries and policies of their statesmen that suggested promising solutions to his problems. He was an attentive investigator of applicable sources before he formulated his own proposals. He then adopted, adapted, and supplemented to meet his purposes and the capacities and requirements of America. Some of his sources he mentioned, but more we must supply by reasonable surmise. For the funding system he turned principally to the British Exchequer and

British writers; he relied less on Dutch devices; he found both inspiration and potent warnings in the heroic cures of John Law for the disordered finances of France. He solicited aid from knowing American friends, among them Madison and William Bingham.

Hamilton had been in office only a month when he sought Madison's suggestions on the subjects committed to him by the House. Madison had been the first mover in providing immediate revenue through import duties, and nothing in the cooperation of the two men to this time gave sign of Madison's impending sharp dissent from Hamilton's proposals. Hamilton was sorry not to have talked with Madison before Congress adjourned, but would his friend "put to paper . . . your thoughts on . . . an addition to our revenue, and also any modifications of the public debt, which could be made consistent with good faith. . . ." ¹⁴

Madison's ideas for supplemental revenue all concerned policy, and were solicitous for the national Treasury. Though he volunteered that he might be mistaking "local for general sentiments with regard to" taxation and debt management, he betrayed no such antagonism to Treasury needs as he displayed in the House two months later when Hamilton's first report was unveiled. Perhaps he ought to be silent on "The modification of the public debt . . . , having not enough revolved it to form any precise ideas." However, "The domestic part is well known to be viewed in different lights by different classes of people." He recommended an excise on home distilleries. "If the tax can be regulated by the size of the Still it will shun [a]way objection that renders excises unpopular or vexatious." A higher duty on imported spirits would be compatible. He urged a land tax as simple, certain, equitable, and economical in collection, doubtless reflecting his perusal of Adam Smith's canons. It would be well "for the general govt. to espouse this . . . essential branch of national revenue . . . before a preoccupation by the States becomes an impediment." Different rates of assessment in the states might be reduced to uniformity. Soon the states were submitting to the excise only because the alternative was a federal land tax which they would avoid at all cost. Here was Madison, the soon-to-be Democrat, championing a federal land tax which Hamilton, the reputed "royalist," would steadily forfend. Further, Madison approved a stamp tax on proceedings in federal courts

but not a general one. Such a tax in the state courts would encounter old prejudices and could not be productive "unless extended to suits for antecedent debts &c, in which case the debtors on whom the tax would fall, would make it a fresh topic of clamor." Madison was not now so tender of debtors as soon he was of creditors, at least original creditors of the public. Hamilton, on the other hand, was to oppose pretensions of some of these same creditors.

Madison advised reducing the debt by purchases on public account, about which he later had qualms. If income for this purpose was from sale of Western lands, it would have the advantage of preventing licentious settlement of those parts. Hamilton, in contrast, never looked to Western lands as a promising source of revenue.¹⁵

Madison's views as given to Hamilton on the eve of the fight over funding have been rehearsed because they show how swift was his conversion to another stand on cardinal points. Equally, that Hamilton sought his opinions testifies to a sympathy soon to be riven. The causes of Madison's change of front demand more study than a biographer of Hamilton need bestow. Jefferson arrived on the scene just at this time. As it was not he, but Madison, who conspicuously reversed himself from nationalist to sectionalist, was Jefferson the alembic?

Soon after entering the Treasury, Hamilton asked William Bingham and Stephen Higginson, moneyed men of Philadelphia and Boston, for suggestions on provision for the public debt. He kept their replies, in November, 1789, among his most personal and treasured papers. Both, but particularly Bingham who wrote at greater length, recommended, as Professor Wettereau observes, "virtually all of the essential measures subsequently proposed by the secretary of the Treasury for restoring public credit. . . ."¹⁶ Funding, means of sinking the principal, national bank, and revenue from impost and excise were set forth. Bingham, who had recently resided abroad, elaborated on pertinent English precedents, the means and uses of a lower interest rate, and benefits of ample, reliable circulating media. Hamilton added other features; some which he adopted he modified, and a caution (of Higginson) favoring a discrimination between creditors he emphatically rejected. However, correspondence between the advice offered and what

Hamilton urged in his first reports is so close as to justify the presumption of strong specific influence.

In his plans for revenue he had not far to seek, since the options of the government were few and had been familiarly debated. The Bank of the United States was manifestly modeled on the Bank of England, with local lessons from the Banks of North America and of New York. His scheme for the Mint is attributable directly to European practice and to estimates of writers and observers of the relative value of the precious metals in various markets. His Report on Manufactures is readily traceable to mercantilist models, especially the policies of Colbert. His writings on commerce owe much to the encyclopedias of trade, such as those of Postlethwayt and Anderson. In preparation for the Report on Manufactures and his organization of the customs, he elicited a mass of information from American merchants, shipowners, and officials who possessed or could gather particulars.¹⁷

In the use Hamilton made of it, none of his borrowing was mechanical. He was selective in the first place, and all became imbued with his own plans. His observation of America and intention to better this country furnished the exciting force. His best authority was his own intimate knowledge of economic and governmental weakness during the war and under the Confederation when Congress was denied a revenue. It must be remembered that he had been a dozen years in formulating his proposals.

Dunbar was the earliest scholar to identify the chief of Hamilton's fiscal models.¹⁸ In the first report on the public credit, 1790, the life-annuity propositions seem to have derived from borrowing by the English government from the time of William III, and practiced by the Dutch earlier. The suggestion of a tontine had been made by Pitt in 1789,¹⁹ and Hamilton used the same classification of subscribers. In the sinking fund Hamilton followed Pitt's legislation of 1786.²⁰ However, since our commissioners had no revenue at their disposal,²¹ Hamilton added their right to borrow.²² In seeking to strengthen the sinking fund Hamilton, in his last report, 1795, appealed to the example of Britain, which had recently "formally adopted, as a *standing rule*, the *principle of incorporating, with the creation of debt, the means of extinguishment*." This would be easier for the United States, since Britain "before it began, had so deeply mortgaged its resources."²³

As early as 1781, in his letter to Robert Morris on the disordered finances of America, Hamilton quoted a Welshman, spare, in clerical black, with an intent, lined face, and a wig billowing out over his ears. This was the redoubtable Dr. Richard Price (1723–1791). Presbyterian minister, mathematician, economist, political scientist, dissenter from the policy of Britain toward her American colonies, Price was the acknowledged oracle of public finance of his day, mentor of the younger Pitt. Hamilton surely knew that in 1778 Dr. Price had been pressed by the old Congress to settle here and render his assistance “in regulating their finances.” In 1786 Price, at Pitt’s request, submitted and conferred on plans for revival of the sinking fund to redeem the British national debt, though Pitt took the least desirable of three programs offered. Price reveled in actuarial calculations, but Hamilton reverted to the older ones of Halley.²⁴ Though some have charged that Pitt ascribed to a sinking fund “the miracle of compound interest” and that Hamilton was similarly deluded, this is to underrate their penetration and candor. The only way in which the government can ensure interest on retired debt is by revenue devoted (preferably dedicated in advance) to that purpose.²⁵

General Schuyler, who was adept in solving mathematical problems, contributed to several of Hamilton’s reports. He offered a “Calculation to determine the price that may be given by the United States for Three per cent Stock, when a sinking fund is applied to the redemption of the public debt. . . .” The first of six assumptions was “That any Surplus revenue which the United States may appropriate as a sinking fund, may be improved at 4 per Cent. per. Ann^m. . . .” One of four cases arising from these data is singled out by Hamilton’s pointer: “. . . an annuity of 8 dollars applied to the redemption of 100 dollars bearing an Interest of Six per. Cent . . . will redeem principal and Interest, 23 Years 9½ Months or decimally in 23.791 Years.”²⁶

Numbers of papers, all in Schuyler’s hand, seem to have been prepared for Hamilton’s use in his fiscal reports. For example, we find a discussion, ten pages, of “The debt of the united States,” probably prepared in 1789. The foreign debt is placed at about \$7,885,085, the domestic at about \$35,000,000. Schuyler goes on, sounding much like a minister of state himself, “Let us now suppose that the states are able to borrow in Europe 10 000 000 dollars at 5

per Cent[,] that they borrow this sum on the first of June 1792 agreeing to pay compound interest . . . until the 1st of June 1797," and so on. Among many and intricate calculations is one on "Conversion of Stock"; and another begins, "the value of an assurance of any given sum payable at the death of the person on whose life the assurance is made, allowing any given rate of Interest, is found by the following rule. . . ." ²⁷

Angelica Church wrote from London, February 4, 1790: "I shall send by the first ships every well-written book that I can procure on the subject of finance. I cannot help being diverted at the avidity I express to whatever relates to this subject." She sent him Adam Smith's *Wealth of Nations*. ²⁸

On the Bank of the United States, Dunbar remarked that Hamilton worked with the English acts open before him, as may be confirmed by verbal parallels in our act of February 25, 1791, and the English statute of 5 William and Mary, c. 20. However, knowing the proneness of Americans to land speculation, and the sluggishness of sales, Hamilton forbade investment by our bank in real estate. ²⁹

Hamilton along with Federalists generally was regularly accused by opponents of being partial to Britain's constitution and economy, and taking these as models for the United States. ³⁰ This was regarded as discreditable since Britain was so recently our foe. Of course, the other prescription was favor for France our friend. With the French we had been comrades in arms, but except for the military and sentimental attachment thus due, our admiration and expectations went better to Britain. Though our war of independence with its companion cry of "democracy" helped inspire the internal revolution in France, by the time of the latter event we had passed through our mild disorders and were seeking stability. France was shrieking freedom and forthwith using the most violent and inconsistent means of achieving it. Thus the politics of France—or shall we say public morals?—alarmed and disgusted even her friends in America. As for her internal economy, that was soon distracted, and she was able to proceed in the next years only by force of conquest and oppression.

f Bent upon building his country, Hamilton's preference for Britain and British precedents was thus inevitable. His choice was the simpler because, peace accomplished, he was for prompt dis-

missal of bygones. This was his policy toward Tories here no less than toward king, Parliament, and people of Britain. All that could contribute toward recovery should be availed of. With the keenest eye in America he saw in Britain the example of material success. His hope for his own country spoke in his enthusiastic words:

"See what a wonderful spectacle Great Britain exhibits. Observe the mature state of her agricultural improvements under the auspices of large capitals. . . . Consider the extent of her navigation and external commerce;—note the huge and varied pile of her manufactures. See her factors and agents spread over the four quarters of the globe, doing a great part of the business of other nations by force of capital; view the great extent of her marine insurances, attracting to her a . . . portion of the profits of the commerce of most other nations. View her, in fine, the Creditor of the World."³¹ This proper political economist's apostrophe reminds that Hamilton meant to draw to America from Britain skilled labor and investment resources, and was anxious to keep her in close ties of commerce.

The long first session of Congress, March 4–September, 1789, was consumed in organizing the government and furnishing immediate revenue. Other prospective matters engrossed debate, notably the future location of the capital, but the rescue of public credit was only broached. This could hardly have been different, since the Treasury Department itself was not established until four weeks before the recess, and the secretary had not been named. When the House at last resolved that the national credit must be supported and that a plan for that purpose should be submitted at the next session,³² it was in answer to an urgent petition from public creditors in Pennsylvania.³³ This was presented by Thomas FitzSimmons and was signed by a committee of sixteen, including Matthew Clarkson, John Chaloner, Thomas M'Kean, Walter Stewart, and Blair M'Clenachan. This was every way calculated to produce action. The memorial, combining entreaty with admonition, was not offered until the authors had been patient with necessary preliminaries. It reminded of the sufferings of petitioners, declared the national benefits to accrue from early fiscal reform, and even pointed out the mode of accomplishing this. The affecting manner of the appeal was reinforced at every point

by its terse logic. It amounted, in brief, to a preview of the funding system.

The "imbecility of the former Union" was contrasted with the promise of order, justice, and prosperity under the new Constitution, which "has made the payment of the public debt a fundamental principle of the Government. . . ." Congress, having laid a foundation, must not adjourn without a "more decisive act for the restoration of public credit," which was called "the vital spark of modern policy." Only wisdom and promptness were now required for America "to convert her calamity into a blessing." While real capacities of the Union were ample, "Immediately to pay off the public debt, principal and interest, if not impracticable, would be greatly inconvenient, and is certainly unnecessary. . . ." For the example of reputable nations had demonstrated "that a permanent appropriation for the punctual payment of the interest will enable the public creditor to enjoy, by the facility of transfer, all the advantages of the principal, without injuring the credit of the country, or straining her resources." This "new species of money" would stimulate every sort of enterprise. Enlightened statesmen had held "that a certain amount of funded debt . . . is a national benefit." England's example was cited. All holders of public funds would support government, and thus "a debt originating in the patriotism that achieved the independence, may thus be converted into a cement that shall strengthen and perpetuate the Union. . . ." The only features of the funding system not anticipated in this exordium were assumption of the state debts and, understandably enough, modification of nominal claims of creditors.

A fortnight later the committee on this petition reported that the time remaining to Congress did not permit of the attention it merited, but acknowledged the rightness of the demand, and offered assurance of consideration early in the next session.³⁴ Ten days later the House, perhaps in some compunction for having squandered many days on the permanent seat of government, formally resolved that "an adequate provision for the support of public credit [is] a matter of high importance to the national honor and prosperity." The Secretary of the Treasury (when appointed) was directed "to prepare a plan for that purpose" to be reported at the next session. Further, he was ordered to procure a detail

of the state debts, and of claims of the states against the central government.³⁵

Congress met for its second session January 4, 1790, but the House did not make a quorum until the 7th. The next morning the members attended in the Senate chamber to hear the address of the President, which particularly commended the resolve for support of the public credit.³⁶ Two days after the President's message, January 9, the House heard Hamilton's letter informing that, agreeably to their resolution of September 21, he had prepared a plan for support of the public credit and was ready to report it to the House at their pleasure. The 14th being assigned, Gerry added to the motion that the report "should be made in writing." The few speakers in the brief debate that followed were mindful of the previous discussion in which fears were expressed that the Secretary of the Treasury, given latitude, would too far influence the legislature. Boudinot, who was to have a major part in later deliberations, countered Gerry by hoping that the secretary might be permitted to make his report in person, "in order to answer . . . inquiries . . . , for . . . gentlemen would not be able clearly to comprehend so intricate a subject without oral illustration." Clymer and Ames, equally favorable to Hamilton, were for a written report. Benson, another friend, was sure that Hamilton would suit the wish of the House, either way. Gerry, renewing his plea for submission of the report itself in writing, would welcome "explanations," but was ambiguous on how the secretary should offer these. The resolution that passed asked only for the text of the report, making no mention of elaboration in person or otherwise.³⁷

Hamilton must have anticipated this result, for the report, as drawn, contained a persuasive introduction and answers to likely objections. The debate on his report would doubtless have been shortened had the House invited him to appear and supplement his written recommendations. Had the system of standing committees, holding hearings, been developed at the time, the secretary could have assisted the legislative process.³⁸ Even so, the House had only sixty members, and before such a small audience Hamilton could have cleared away misapprehensions and narrowed differences of view without adding to political bias which was

bound to be aired anyhow. Of course, the document was necessary for the record and for constant reference, but in the then state of America its precision needed to be supplemented with persuasion which the most skillful draftsman could not put on paper. Every other problem which had come before the legislature to this time was within the members' knowledge—amendments to the Constitution, future placement of the capital, even import and tonnage duties. Fiscal principles and methods, on the other hand, must be disentangled from prevailing prejudice, fears, and class antagonisms already more than incipient. Honest issues there were, but, enveloped in suspicions, they became food for overeager controversy. Nor would legislators, wrestling with a strange and distasteful task, have been the only gainers from face-to-face give and take with the Secretary of the Treasury who offered his solution. Hamilton himself, from conversation in the chamber, would have known better what to amend or discard, to the benefit of his main contentions. It was not a juncture for standing on formality. The value since placed on ready communication in the highest governmental quarters was unappreciated, even shunned, with the result that arguable difference degenerated into angry dispute. The sovereign tenet of separation of powers has its disutility in moments of crisis when special confidence, we have learned, must be reposed in the executive. At its scrupulous commencement the country was living by the rule, afraid to trust itself to the reason of the case.

As the day for "opening the Secretary's budget," or reading the report on the public credit approached, the speculators redoubled their activity. At the capital they sought every means of advance information, pumping members of Congress who had arrived and summoning laggards to their aid.³⁹ Practically certain that assumption of state debts would be recommended, and hopeful that this "necessary part of Mr. Hamilton's plan" would be enacted, they⁴⁰ went or sent to South Carolina and such promising places to make purchases.⁴¹ Their expectation was that if the assumption took place "the present continental Debt will fall & the State Debts will rise till their value is equalized when they will . . . rise to 13 [14] or 15/ in the pound." The increase in price from the low (2s. in the pound for legitimate South Carolina debt) would require some months because assumption "will bring such a

quantity into the Market.”⁴² On the appointed day Hamilton submitted his report, which was ordered for consideration a fortnight thence. In the interim the document was to be printed “for the use of the members.”⁴³ While he awaited discussion of his fiscal plan, Hamilton received new assignments from the House. Following recommendation of the President, he should report means of stimulating national manufactures, especially those for military purposes.⁴⁴ The Secretary of the Treasury should also “report a uniform system for the sale of the vacant lands in the Western Territory,” which would add to the strength of the nation and help to pay off the public debt. The Secretary of the Treasury was supposed to have the best information on this subject.⁴⁵ Also during this interval arrived four members of the House who were to figure largely in the debates—Madison and Jackson from the southward, Sedgwick from Massachusetts, and FitzSimmons from Philadelphia.

When the fortnight was up, Ames reluctantly moved for a further postponement of consideration of Hamilton’s report for ten days. This was because printing had taken longer than expected, and members wanted more time to ponder the secretary’s proposals. However, if the House was delayed, the harpies out of doors had swooped to action the instant the terms of the plan were announced. James Jackson, of Georgia, immediately took the floor with a cry that rang through Congress for months: “Since this report has been read in this House,” he proclaimed, “a spirit of havoc, speculation, and ruin, has arisen, and been cherished by people who had an access to the information the report contained, that would have made a Hastings blush . . . , though long inured to preying on the vitals of his fellow men. Three vessels, sir, have sailed within a fortnight from this port, freighted for speculation; they are intended to purchase up the State and other securities in the hands of the uninformed, though honest citizens of North Carolina, South Carolina, and Georgia. My soul arises indignant at the avaricious and immoral turpitude which so vile a conduct displays.”⁴⁶

Jackson was called by Gallatin a “pugnacious animal.” From a Devonshire boyhood he transferred to the Georgia frontier. He fought through the Revolution (was in the battles of Savannah and Cowpens), later held the rank of brigadier in the state militia

pressing back the Indians. He liked single combat too, whether eye gouging or with pistols in his many duels; he killed the lieutenant governor in an "interview" without seconds in 1780. He disputed with the same alacrity in the courts, interrupting a spectacularly lucrative law practice to enter Congress in 1789. It took Anthony Wayne to defeat him after one term, but he later became governor and United States senator. His most furious fight was to be against the Yazoo claims. In politics he was irregularly Republican, but always violent. He was two years younger than Hamilton, and died at the same early age, whether of duel wounds or the dropsy is uncertain. He reminds of his better known namesake Andrew Jackson, and had some of the qualities of those other Southerners William Giles and Aedanus Burke.⁴⁷

Jackson wanted more time to consider two objects of the report—the refusal to discriminate between original holders of the debt and transferees, and the assumption of the state debts by the general government. He wanted much more time, more than three months in which the state legislature should be consulted. Boudinot, alive to the assault Jackson portended, met the urged long postponement with skill. Speculation had risen to an "alarming height," but the way to stop it was by appreciating the debt in the hands of the holders. In Committee of the Whole the House could explore all aspects of the problem, and should avoid delay.⁴⁸ But Jackson had another excuse. Representatives of North Carolina had not arrived. Through the confusion of his further reasons shone hostility to the report.⁴⁹ Three speakers in succession were for prompt deliberation on the secretary's plan. A new note was injected by the last of these, Sedgwick. Speculation, within limits, was not "baneful in its effects upon society." Gerry was for delay till March, but he made speculation a positive advantage, giving "a currency to property that would be dormant. . . ." A public debt was "a source of great emolument to a nation, by extending its capital, and enlarging the operations of productive industry." Purchases by foreigners were salutary, as was proved by the recent experience of Britain.

Before crowded galleries, Jackson returned to the attack. No such speculation as they were witnessing could be excused, for it sprang from "the advantage those at the seat of Government obtained of learning the plan contemplated by the principal of the

Treasury . . . before others had heard a word thereof." Were Congress meeting in the woods the contents of the report would have been diffused generally and equally; the "gallant veteran" with "his . . . tender wife . . . and his children in a wilderness" would have been forearmed against "rapacious wolves seeking whom they may devour."⁵⁰ However, less excited members had influence, and by a large majority, discussion was deferred for only ten days more.⁵¹

The first report divides itself into three parts: (1) the principle, or the necessity—moral, legal, and economic—of supporting the public credit; (2) the policy, or the mode of provision for various classes of claimants; (3) the means, or the choice of sources of revenue to be applied. Accompanying calculations and accounts form an appendix of exhibits filling as many pages as the text of the report itself.

We may summarize Hamilton's argument and exposition under each head. It will appear that debates in Congress and controversy in the country, animated as they were, discovered few problems or solutions which the secretary had not anticipated.

He grounded his propositions in the resolve of the House "That an adequate provision for the support of the public credit is a matter of high importance to the honor and prosperity of the United States." The nation, looking to the future, must protect its ability to borrow on good terms. Honorable action in the present moment was critical for the individual and aggregate prosperity of citizens, for "their character as a people." Any violation of public engagements was to be deplored. When inescapable, departure from strict fulfillment must be as slight as earnest contrivance could effect. Fortunately, such sincere efforts would generally meet with acceptance by enlightened national creditors. In asking these to agree to other than the original terms, Congress should remember the sacred character of the debt, that "It was the price of liberty."

He explained, without excusing, past lapses. But now the new government was "clothed with powers competent to calling forth the resources of the community." The expectation this produced had raised the market value of our securities more than 80 per cent in a year. We must justify the confidence of these creditors,

but "the great and invaluable ends to be secured by . . . the support of public credit" were wider. They were "to promote the increasing respectability of the American name; . . . to restore landed property to its due value; to furnish new resources, both to agriculture and commerce; to cement more closely the union of the States; to add to their security against foreign attack; to establish public order on the basis of an upright and liberal policy . . ."⁵² Important advantages would accrue "to every class of the community."

Hamilton then emphasized that a well funded national debt—"an object of established confidence"—would serve most of the purposes of money and be the foundation of loans. Ampler media of exchange, and livelier circulation, would lower the rate of interest. Easier command of capital would facilitate commercial enterprise, which would communicate energy to manufactures and agriculture. Particularly the value of lands, sadly fallen since the Revolution, especially in the South, would be lifted. This betterment would begin early and steadily increase. On the other hand, if the debt were left in chaotic state, money and effort would be drained off from production into distracting speculation.

2. These principles affirmed, he turned to questions of policy. It was agreed on all hands that the debt contracted abroad ought to be discharged "according to the precise terms of the contracts." Therefore only the domestic debt raised queries about the manner of providing for it. The secretary immediately addressed himself to the contention, already rife, that "a discrimination ought . . . to be made between original holders of the public securities, and present possessors, by purchase." Should not the transferee be paid only the three or four shillings in the pound that the securities cost him, with the interest, and the difference be made good to the primitive possessor? He stated the plea "that it would be hard to aggravate the misfortune of the first owner, who, probably, through necessity, parted with his property at so great a loss, by obliging him to contribute to the profit of the person who had speculated on his distresses."

After mature reflection, Hamilton flatly rejected this doctrine "as equally, unjust and impolitic; as highly injurious, even to the original holders of public securities; as ruinous to public credit." It would be a breach of contract. The government made the

securities assignable, and was answerable to the actual holder, whoever he be. Government, by failing to honor the debt, lowered its price. Speculators were not to blame. They were fair purchasers at market value, and deserved compensation for the risk they ran, "a hazard which . . . turned on little less than a revolution in government."⁵³ He was sympathetic with true sufferers by the depreciation, but showed by reasonable surmises that equity could not be accomplished by a discrimination in their favor, let alone the violation of contract. If it was to serve as money, the stock must be transferable, and it must be agreed that the transferee stood in the shoes of the original owner. If this principle was invaded, the community would sacrifice an advantage incomparably superior to any temporary saving. This would include original proprietors, whose property would sink in value by the breach of national faith. The "fatal influence which the principle of discrimination would have on the public credit" would prove pervasive. Further, he quoted the pledge of Congress to the states, in April, 1783 (which he had helped to write), that the confidence of those who bought stock when others doubted its redemption would never be abused.⁵⁴

Having disposed of one problem, he prescribed for the next. The debts of the individual states, incurred in the cause of national independence, ought to be assumed by the Union. As these debts must be paid, no saving would result from keeping them separate.⁵⁵ On the contrary, competition between states and nation for the same tax resources would produce substantial losses. He was frank to say that "If all the public creditors receive their dues from one source . . . their interest will be the same" and "they will unite in the support of the fiscal arrangements of the Government. . . ." Otherwise creditors of the states would be in worse position than those of the nation, mainly because customs belonged solely to the latter.

Knowing that final settlement of accounts between central and state governments would be a tortured task, Hamilton urged that assumption not wait for this process. An approximation would clinch the important object, and later adjustment could correct errors. However, to satisfy the keen curiosity of representatives of the states, he did suggest a method of settlement.⁵⁶

To forestall another controversy that might cripple public credit,

he insisted that the large arrears of interest required payment equally with the principal of the debt. Indeed, the accumulated interest was now due, unlike the principal, which was redeemable at the government's pleasure. But as the arrears of interest could not be met at once, the honorable expedient was to offer the creditors a new contract, on which interest should be paid at the going government rate. It would be fair that interest on the accumulated interest would be at the rate of 4 instead of the original 6 per cent.

The secretary then summed up the debt of the United States. The components of this were foreign debt of \$11,710,378.62 (of which arrears of interest were \$1,640,071.62); liquidated—that is, definitely ascertained—domestic debt of \$40,414,085.94 (of which arrears of interest were \$13,030,168.20); unliquidated domestic debt, chiefly Continental bills of credit, probably \$2,000,000. These gave a total figure of \$54,124,464.56. To this was to be added the war debts of the states, which, partly by estimation, he put at \$25,000,000. On this grand total of \$79,124,464.56 the annual interest (allowing 4 per cent on the arrears of interest) would be \$4,587,444.81. To put it roughly, just to have the relative magnitudes in mind, of the whole debt the foreign made one-seventh, the national a little more than one-half, and the debts of the states something under one-third.

So much for what was owed. Now came the crucial funding operation itself. This could not be carried through at the existing rates of interest borne by the debt, and at the same time meet the ordinary expenses of government, without straining tax resources beyond what was prudent for the public and in accordance with the true interest of the creditors. Hence it was hoped that creditors “will cheerfully concur in such modifications of their claims” as would be fair to them and satisfactory to the community.⁵⁷ Acceptance of any change must “be voluntary in fact, as well as in name,” must appeal to the reason and advantage of creditors, “not to their necessities.”

The foundation of Hamilton's funding proposal, in all its parts, was of course the prospect of a fall in the prevailing rate of interest. As the debt stood, unconverted, the government could avail itself of any fall in interest to redeem principal. This was favorable to

the public, unfavorable to the creditor, and opened the way to a negotiated reduction of interest. Money was to be had in parts of Europe at 3 or 4 per cent; the Dutch were coming into our loan market and, attracted by our expected development, more would follow them. Also, consequent on the funding itself, capital would be more plentiful in the United States. Hamilton calculated that the rate of interest would fall from 6 per cent to 5 per cent in five years, and in twenty years to 4 per cent.

He therefore proposed a loan to the full amount of the debt, national and state, to be subscribed wholly in evidences of the debt, in accordance with five choices. All plans provided a reduction in interest, and each balanced benefits to the creditor by advantages to the government. It is not necessary to recite all these options. The first permitted the creditor, for every \$100 subscribed, to have two-thirds funded at 6 per cent, redeemable at the pleasure of the government, and to receive the other third in Western lands at \$0.20 per acre. The second was to have the whole sum funded at 4 per cent, but irredeemable by any payment exceeding \$5.00 per annum, and, in compensation for the reduction of interest, to receive \$15.80 in Western lands. The third option was a variant of these, and the last two embodied annuities, on actuarial principles, at 4 per cent.

Besides this loan, to be subscribed entirely in the debt, the secretary proposed another, for \$10,000,000, calculated to attract those who could pay half in specie. In this case the interest would be 5 per cent, and the government could not redeem the principal beyond \$6 per year.⁵⁸

Hamilton then explained the different inducements to the creditor in each option, and the corresponding gains to government. He worked the arithmetic to exhibit the present value of a capital sum on which the interest was to be reduced at stated intervals. He justified the price of 20 cents per acre for land. In each instance he gave the benefit of doubt to the creditor. Besides the plans outlined above, and "by way of experiment," he suggested a tontine, or scheme of life annuities purchased by persons in different age groups, the annuities of those dying going to survivors.⁵⁹ This diversity of propositions was to suit many preferences and enable the debt to be funded within the resources of the government.

Otherwise arrears of interest would mount as "a monument, either of inability or of ill faith," equally destructive of public credit. "In nothing are appearances of greater moment than in whatever regards credit. Opinion is the soul of it. . . ." However, creditors who did not choose to embrace any option were not to be forced. These had a claim on any surplus of revenue, though the appropriation for their benefit must be temporary until the extent of prior commitments was known.

3. The last section of the report proposed means of providing for the debt. Installments of principal of the foreign debt should be met by new loans abroad. Interest on the whole debt, plus \$600,000 for ordinary operations of government, would total \$2,839,163.09. This sum could be raised from existing duties on imports and tonnage, with additional duties which he proposed on wines, spirits (including those distilled in the United States), teas, and coffee. He justified these latter, on drinkables, as taxes on luxuries, some of which, because of their cheapness, were consumed to a pernicious extent. These would furnish a dependable source of revenue under precautions for inspection and collection which he spelled out in an accompanying draft bill. Hamilton's duties on wine ran from 20 to 35 cents per gallon, on imported distilled spirits reached 40 cents for highest proof, on tea varied from 40 cents per pound for the best to 12 cents for the common, and on coffee were 5 cents. Domestic distilled spirits from foreign materials—that is, rum—were lower than on the imported, from 11 to 30 cents.

Duties on spirits distilled here from our own materials—mainly whisky—involved the complications, political, fiscal, and psychological, associated with the name "excise." Hamilton divided these liquors into two classes, those distilled in cities and towns, and those from country stills.⁶⁰ The former he would tax at 9 to 25 cents a gallon, which was lower than the rates on domestic rum. The latter should pay according to the capacity of the still, 60 cents per gallon. Hamilton pointed out that he took pains to protect distillers and dealers against arbitrary action on the part of inspectors. Also, he urged that proceeds of duties on distilled spirits be used, first, to pay the interest on the foreign debt; second, the expense of conducting government; third, be applied to interest on the new loan for the life of that loan.

He prefaced his proposal of a sinking fund with words that deserve quotation:

"Persuaded, as the Secretary is, that the proper funding of the present debt will render it a national blessing, yet he is so far from acceding to the position, in the latitude in which it is sometimes laid down, that 'public debts are public benefits'—a position inviting to prodigality, and liable to dangerous abuse—that he ardently wishes to see it incorporated, as a fundamental maxim, in the system of public credit of the United States, that the creation of debt should always be accompanied with the means of extinguishment. This he regards as the true secret for rendering public credit immortal."

The net proceeds of the post office, to a maximum of a million dollars annually, should be devoted to the sinking fund in the hands of commissioners who comprised the highest officers of the government. This fund, augmented by a loan of \$12,000,000 on their credit, should be applied by the commissioners, in various ways which he specified, to reduction of the debt until the whole was discharged.⁶¹ One way, on which Hamilton dwelt, was by purchase of the debt at market price while that continued below the true value. This action would be "highly dishonorable to the Government" if taken before the debt was funded, but after provision had been made must be beneficial. The profit to the government by these purchases in the market was a minor consideration compared to the desideratum of raising the stock as rapidly as possible to par ("its true standard"). That event would convert the drain to foreign speculators into beneficial investments in our agriculture, commerce, and manufactures. The sinking-fund commissioners should apply their money through the medium of a national bank, a plan for which Hamilton begged leave to submit later in the session.

The secretary's revenue proposals embraced the demands of the existing national debt only, as it would not be proper to lay taxes for assuming the debts of the states until that policy had been accepted. However, in his solicitude, he sketched steps that might be taken at that session for incorporating the state debts with that of the Union.

He closed the report with an earnest, becoming exhortation to Congress to restore the public credit with the least delay.⁶²

The foregoing condensation of Hamilton's first Report on the Public Credit has omitted comment on its persuasive style. This must be supplied before we turn to the debates in the House of Representatives, because there few adversaries had words for the engaging manner of the document, and supporters were taken up with defending its substance. Hamilton was too absorbed in his momentous task to be opinionated or scornful of the views of others. His project was no less than contriving the solvency of the nation. On this foundation of fiscal integrity must be erected political competence and economic prosperity. The whole tone of the paper is earnest and high-minded. If his preoccupation with patriotic purpose allowed no room for tactless barbs, still less did he indulge partisan pleading for the moneyed interest or for any other special class in the society. Enough critics were ready to say, and others to insinuate, that the Secretary of the Treasury was disingenuously furthering the claims of speculators. This charge was inescapable in the situation that existed. As political parties in America may be said to have had their origin in the ensuing debates and public discussion, it was too much to ask that so obvious an opportunity to discredit the secretary's proposals would not be improved. Anyhow, it was useful to have every hold brought to the wrestling match, as long as the public champion triumphed. As for subsequent historical appraisal, which has frequently cast Hamilton in the rôle of designing savior of a selfish clique, one points to the report itself for the author's vindication. Many at the time, and since, nourished suspicion without the corrective of reading what Hamilton submitted. It is not *post hoc* fallacy to remind that Hamilton's prescription for financial rescue had the fullest examination under our constitutional system, and was approved. The results of funding, as the central feature of Hamilton's Treasury policy, of course introduced diverse developments which will ever occasion controversy. Estimate of these results, serviceable and less so, may not be meaningfully given in a sentence, but must emerge in the lively history which is the business of this volume.

Hamilton's problem in this first report and in others which buttressed it was judicious compromise between insufficient revenue of government and unsatisfied claims of creditors. The funding operation was just that. Only the foreign debts, principal and arrears of interest, presented a clear mandate to pay according to the

bond. The domestic debt, including debts of the states when assumed, required modification to bring them within the ability of the Treasury on the one hand, and within the willingness of those who had trusted government on the other. Here was room at every turn for difference of opinion as to the happy mean between resources and repayment. Contrariety of preferences, mixed with political ingredients, rapidly became conflict of passions. The secretary would have been in an easier position had he been able to tighten purse strings or to proclaim absolute rights. But he must in fact do neither and both. What sustained him was his resolve to supply to creditors all that was practicable, hoping they would agree that their genuine interest coincided with a healthy exchequer.

Hamilton did not permit himself to forget that he was not the legislature, but the trusted servant assigned to explore, propose, and explain. It was not simple to combine in one report discovery of the financial situation and prescription for extrication. He must blend figures with wisdom. His response to the mandate of Congress was properly deferential, while he knew that he was looked to for light and leading. The course of future events, prosperous or the reverse, in fact hung upon his informed, conscienceful choices. This last persuaded him to a reasonable but firm tone throughout. Besides his determination that the debt, fairly adjusted, should be shouldered, on two policies he must be positive at whatever risk: There must be no discrimination against actual holders of securities who had them by transfer; the debts of the states must be absorbed by the nation. Of these the first was primary, in law and in the large objects which a funded debt was designed to accomplish. The second—assumption—was dictated by fiscal convenience and the motive of political solidarity. The high diplomacy in both cases was unequivocal endorsement. After vexations and anxieties, the event proved as much.

It was to be complained in Congress that the report was intricate, indeed was purposely made to mystify the common understanding while the secretary's supporters on the floor forced his program to adoption. The subject itself—how to erect disorder into system, turn procrastination into performance—posed a problem in exposition in fiscal terms. The concept of future equivalent for broken promises became confusing when translated into un-

familiar devices, such as the limited option to redeem, intended to induce acceptance of a lowered rate of interest. Most members of Congress and most discussants in newspapers and in private correspondence, if we may judge by the record, were uninstructed in the beginning and, on subtler points, remained so in the end. Not all submitted themselves to what Walter Bagehot called "the anguish of new thoughts." Hamilton's explanations were lucid, though the circumstances were against him. If anything, he misjudged the fatigue point of those whom he addressed. In his eagerness that creditors should convert old into new securities voluntarily, he presented too many plans for individual preferences. This was the defect of his virtue, and Congress was eminently practical and wise in reducing the number of the secretary's propositions.

Not all in Congress were prepared to discuss the secretary's report, and few editors and correspondents in their columns did so. Typically, the newspapers printed this and others of his Treasury plans in full in installments and, belatedly, the debates in the House. Often most of the columns that day would be thus taken up. In a sampling of papers up and down the coast, more short letters from subscribers praised the secretary than dissented. Longer examinations were few on either side, and numbers of those in opposition gave evidence of issuing from the same source.⁶³

The complaint was made in Congress that Hamilton purposely complicated his reports. His purpose in such a tactic is hard to perceive, unless he could count on approval in deference to the crying need of reform and prestige of the administration. The facts are otherwise. He labored to make his exposition of unfamiliar materials plain and arguments for his proposals persuasive.⁶⁴ Aside from the wording, the organization of his papers shows it, for he commonly prefaced his analysis and recommendations with an explanation intended to give the reader his bearings. Indeed, some thought him teacherish. In the eyes of critics politically inspired he was damned if he did and damned if he didn't. The reputation assigned by history has discounted sour contemporary comment.



Conflict over Funding

THE debate on Hamilton's first report on the public credit was the longest and most significant, economically and politically, in the nation's early history. With brief interruptions for other business, it continued from February 8 through August 9, 1790, thus occupying virtually the whole of the second session of the First Congress.

The debate progressed in the order of principal heads in the secretary's report, as defined by FitzSimmons of Pennsylvania.¹ The issues were three: (1) in honoring the debt, should there be a discrimination between original holders and assignees? This was discussed over a span of eleven days, until February 22;² (2) should the war debts of the states be assumed by the nation? This was the topic for a longer period, through March 9;³ and (3) the several plans for modifying the debt, or choices to be offered to the creditors. These were broached March 10, were recommitted on the 30th, then were reconsidered along with the former question of assumption.⁴ In the end the secretary's proposals for the support of public credit were approved, with the exception that his options for conversion of old into new, funded debt were wisely reduced in number.⁵ Hamilton's plan for a Bank of the United States formed an appropriate—in his mind a necessary—part of his design for bolstering the national credit, but was not submitted until the third session, and so must be considered separately.⁶

An account of the reception of Hamilton's first Report on the

Public Credit, in Congress in debates and political maneuvers, and out of doors in newspapers, pamphlets, and correspondence, is an exercise in compression. An epoch in public discussion, requiring some diligence to explore, must be brought within the limit of the reader's patience, hopefully without omitting main arguments or the anxious animation with which these were advanced. As indicated earlier, the overtones also must be heard, for they sounded not only the solvency of the new nation but also the future relations of the central with the state governments. The whole episode was nothing less than the liquidation of the Revolutionary War and the opening of the American vista promised by the Constitution.

When, on Monday, February 8, 1790, the House went into Committee of the Whole, with Abraham Baldwin, of Georgia, in the chair, "a silence of some minutes" greeted Hamilton's report. This was the last reticence to be shown, for thereafter members were steadily voluble on the merits and demerits of the secretary's proposals, and their oratory echoed through the country. Following the pause Livermore of New Hampshire voiced the quandary of the House by asking that someone indicate chief points for discussion. William L. Smith, of South Carolina, doubtless by prearrangement with Hamilton, at once offered five sensible resolutions embodying the purposes of the report. They pledged Congress, during the present session, to make provision for the public debt, including the obligations of the states; there should be no discrimination between holders, interest should be funded with principal, and a modification of the debt was contemplated.⁷⁴

The curtain thus lifted, Elias Boudinot, of New Jersey, stage managed the play by confirming the commitment to redeem the national faith. He was a good choice for the rôle. From a Middle State, he probably had the esteem of as many members as any man on the floor could command. He had borne an active part in the Revolution, as President of the Continental Congress in 1783 signed the treaty of peace, and had labored in the Constitutional Convention and out of it for establishment of the new government. Lawyer and businessman of parts, and of impressive appearance, he was now at the height of his powers. While of considered views, he was unwavering in his attachment to national responsibility. Critics have said since that, as owner of securities and Western lands, he had a proprietary concern in strengthening

the central authority. In this he was like many others whose patriotism had made a claim on their pockets. Probably most members did not know of his personal interest in supporting the Secretary of the Treasury. Boudinot had been a foster father to Hamilton when a lad in school, was proud of his protégé's accomplishment, and defended him with a zeal that sprang from affection as well as from agreement in principles. The long debate, through whatever vicissitudes, was to find him ever ready as patron and coadjutor.

Boudinot, by way of prelude to put the members in devotional mood, read to the House the whole of the address of the old Congress to the states—April 18, 1781,⁸ reciting the origin of the debt and exhorting to solvency. This performance must have occupied half an hour. Feeling words reminded that the resolve for independence was not less solemn than the promises to creditors who made it possible. "A bankrupt, faithless Republic would be a novelty in the political world, and appear, among reputable nations, like a common prostitute among chaste and reputable matrons. The pride of America revolts from the idea; her citizens know for what purposes these emissions were made, have repeatedly plighted their faith for the redemption of them: they are to be found in every man's possession. . . ." Boudinot added his own confidence that "no man possessed of the principles of common honesty, within the sound of my voice . . . will hesitate to conclude . . . that we are bound by every principle of honor, justice, and policy, to fund the debt of the United States. . . ." He commended the means and the particular reasons advanced by the secretary in the report before them.

It would have been preferable had debate proceeded on the basis of Smith's summary resolutions, for they were explicit without provoking disputes over detail. However, the next day he withdrew them in favor of FitzSimmons' fuller ones seeking to "render perspicuous, the great outline of the Secretary's plan." Probably this was not done without Hamilton's foreknowledge, though the strategy of it does not now appear. Acceptance of the substitute agenda forfeited Smith's unmistakable declaration against any discrimination between original holders and assignees. As Hamilton was emphatic on this cardinal point, and it promptly became the focus of debate, why be noncommittal in FitzSimmons' version?

The latter, however, spelled out the choices of domestic creditors in the funding operation, and proclaimed that embracing any was voluntary. In spite of being so specific, it made no mention of a sinking fund.⁹ In any event, Page of Virginia called for the reading of the entire report, which took more than two and a half hours, and exhausted that session.

Next morning, provision for the foreign debt, interest and principal, was immediately agreed to. Jackson of Georgia thought this right, but balked at any further discussion of the report for the present. As to the domestic debt, he pled the general issue. Eminent authorities denied that "a permanent funded debt is beneficial . . . to any country." Beginning with the fatal mistake of Florence in the early seventeenth century, he cited the grievous experience of Genoa, Venice, Spain, France, and enlarged upon the wreck of England portended by the pitch to which "the spirit of funding and borrowing" had been carried in that country. Should America embrace a funding system which "must hereafter settle upon our posterity a burden . . . they can neither bear nor relieve themselves from?" He would rather submit to direct taxation and escape the load of continuing interest which must punish "the active and industrious citizen . . . to pay the indolent . . . creditor. . . ." He had more arrows in his quiver. The amount of the debt was not known with any certainty. North Carolina, in the Union but not yet in Congress, was on record against assumption of the state debts, and should be heard in the debate. Funding would "increase the circulating medium" to the advantage of large cities, "but the remote parts of the continent will not feel the invigorating warmth of the . . . treasury. . . ." Anyhow, sales of Western lands might make any permanent taxation unnecessary.

Both Sherman of Connecticut and Smith condemned such irrelevancies. The committee was not discussing ideal policies. The debt existed for a good cause, could not be discharged at once, and America must put forth a plan for gradual repayment. Nobody wanted perpetual funding, hence the secretary proposed a sinking fund. This last was pooh-poohed by Jackson. A sinking fund was something to be raided in any emergency. He moved that the committee rise, but was briskly voted down.¹⁰

Several questioned the propriety of putting the foreign debt on

a better footing than the domestic one. Livermore went far in the preference to creditors abroad who, expecting no political benefits from the issue of the war, loaned us specie at a low interest. What was owed at home was in lower station morally. Domestic creditors had their reward in our independence, which they had illy earned by subscribing to exorbitant loans in depreciated paper and selling supplies to government at prices shamefully excessive. As between our own people, the only discrimination he would make was between the few who furnished specie, who deserved face value of their paper, and the vast majority who should receive only the current market rating, maybe eight or ten shillings in the pound.¹¹

Accepting this principle of reduced payment to domestic creditors, Scott of western Pennsylvania was troubled to know how far to scale these claims. As between debtor and creditor portions of the community, members of Congress were "judges to determine matters of right and equity. We are . . . as a court of law . . . to decide with wisdom whether the claims are just or not. . . ." He moved a postponement until accounts could be audited.

Here was a double threat to action on the Treasury plan. Congress was to consider itself an arbiter, vested with discretion on no set principles. Liquidation of the domestic debt—by which was then meant review and precise ascertainment—would cause indefinite delay. Immediately Boudinot, Lawrence of New York, and Ames of Massachusetts politely but firmly countered these errors. As the last said with truth, "The science of finance is new in America; a gentleman may therefore propose the worst of measures with the best intentions." But the fact was, as Boudinot reminded, that "Instead of being judges, or arbitrators . . . we are parties to the contract. . . . We cannot judge in our own cause." By the Constitution, the new Congress stood in the shoes of the old. "The case will now stand clear: we owe a debt contracted for a valuable consideration. The evidences of our debt are in the hands of our creditors, and we are called upon to discharge them; if we have it in our power, we ought to consider ourselves bound to do it. . . ." But as Congress probably was not capable of paying the whole, terms must be proposed. However, in doing so "Each party is as much to be consulted . . . as it was at the time of the first contract." Lawrence scotched procrastination to discover the

exact amount of the debt. All was tolerably known "except about two millions of dollars, principally arising from the remnant of the old Continental money, which has not yet been brought into the Treasury. . . ."

Ames with his usual acuteness and skill turned the argument upon opponents: "Shall it be said that this Government, evidently established for the purpose of securing property . . . , in its first act . . . divested its citizens of seventy millions of money . . . ! I believe those gentlemen, who are apprehensive for the liberties and safety of their fellow-citizens, under the efficiency of the . . . Constitution, will find real cause of alarm from the establishment of the present doctrine." Here was the biter bit.¹²

But critics of full discharge according to nominal value were not done. Livermore and Sherman joined Scott in pointing out that parts of the domestic debt, notably the paper money of the old issue, had already been scaled to forty for one, and that the secretary had incorporated this act of major repudiation in his report when he assumed that eighty millions should be reduced to two millions. Further, he was proposing modification of the whole that was owing at home, certainly as to interest.¹³

These were logical posers. Boudinot answered as best he could; what was done (in great part repudiating the old paper money) was justified to prevent "an evil of the most enormous magnitude." But the community would not be injured by honoring "the claims of the holder of the public securities." From motives of national expediency, holders were urged to reloan on any of several options held out by the secretary, but this was to be with their consent.¹⁴ Sedgwick temperately observed that the standard for the legislature was the well-being of the society. On the precedent of the old Congress, the whole existing domestic debt could be violently reduced, as Scott and others had urged. All agreed that a composition must take place, but, since the means of government promised to be sufficient, the national good dictated that this should be moderate, with consent of the creditors.¹⁵ In a prophetic allusion, he deprecated the factional strife that would be fostered by procrastination in the funding.¹⁶ Jackson at once invited this by approving the resentment of the soldier who would be called upon, by the secretary's plan, to reward the speculator tenfold. Aedanus Burke topped this off by moving that "a discrimination be made

between the original holders and their assignees, and that a scale of depreciation be prepared accordingly.”¹⁷ The inconsistency of these and some other Southerners was sharply illustrated in their refusal to treat seriously petitions of Pennsylvania and New York Quakers, and of the Pennsylvania Abolition Society of which Franklin was president, that Congress use its utmost power to discourage the slave trade. In the eyes of Southern objectors, alienation of certificates did not destroy the claim of original possessors, while alienation of liberty had no appeal; moral rights, so stoutly urged on behalf of first holders of securities, were dismissed in favor of mere property sanctions when it came to slaves. After two days of tussle, the petitions were overwhelmingly referred to a committee.¹⁸

Now the debate on Hamilton's report settled to its steady grind. The quixotic Burke, repenting of his motion for discrimination, withdrew it, but this spurred Madison to present his best arguments for the principle which Burke had abandoned. Had not Madison espoused a discrimination, discussion of the issue would never have come to full flower, for other proponents, with no more validity in their reasoning, would have been borne down promptly. But what Madison lacked in logic he made up in character and reputation for integrity. The man became the powerful, because the honorable, defender of mistaken policy. That the ablest opponents came out to meet him was a tribute to his virtue, not to his wisdom in this instance.

He began by acknowledging that the domestic debt (the liquidated part of it anyhow) was sacred and that the new government inherited the obligations of the old. His question was, Who were the rightful claimants? The creditors fell into four classes. Original holders who have never parted with their securities, and intermediate holders through whose hands securities had circulated presented no problem. The first must be paid in full; the pretensions of the last, if any, could never be traced. The only contest was between original creditors who had alienated, and present holders of assignments. It was neither possible nor desirable to satisfy both groups completely. Standards of public justice, faith, credit, and opinion demanded a compromise between them. “. . . let it be a liberal one in favor of the present holders, let them have the highest price which has prevailed in the market; and let the

residue belong to the original sufferers." Not perfect in its operation, this was the best expedient that could be devised. It was practicable, for transferees would present their certificates, and original holders who had alienated could be discovered from the records. Public credit would not be damaged, for the world would approve this solution for vexing counterclaims, and hopefully the government would prevent such a situation in future. He put his formula in a motion which long commanded attention of the Committee of the Whole.¹⁹

Madison was answered by Boudinot, Sedgwick, Lawrence, Smith of South Carolina, and Ames in a succession of determined speeches. The faculties of our forefathers for legislative debate were rarely better exemplified than in these replies. They were informed, articulated, earnest, not repetitious. The arguments were in Hamilton's report itself, but now they were amplified, illustrated, nimbly mustered for the offensive. The speakers themselves contrasted with Madison, who was small of size and faint of voice, though strong of mind. Boudinot bordered on the ponderous, but was quick enough on his mental feet. Sedgwick also was expansive, his cordiality marred by a touch of condescension toward those he thought his inferiors. Fisher Ames, erect but not robust, brought to this as to all debates his singular gift for expression; his aptitude in phrase, the spontaneous little surprises of his language shine through the compressions of the shorthand writers.

The arguments of these champions of the funding system may be blended in a summary. The evidences of the debt were, by their terms, transferable. This was a quality advantageous to holders, for in every view it increased the value of the paper. Those who had parted with it, at however low a price, had done so for causes which to them seemed good. No fraud in the purchasers was alleged. The latter took a calculated risk of the eventual redemption of the debt, which depended, all agreed, on no less than "a revolution in the Government" (that is, the establishment of a new Constitution). The old Congress had not been at fault. Failure to provide money for the interest lay with the states which had not filled their requisitions. The new Congress, by law and by voluntary action of the original and all intermediate possessors, was bound to the actual holders, whoever they were. Their claim was absolute; no court of equity would deny it. Natural compas-

sion for sufferers by the depreciation must not confuse justice. Transferees must not be robbed to compensate losers.

Policy, as well, dictated payment of holders in fact, however they came by their securities. Only so could the public credit be redeemed in the present and be projected into the future. Practically, the project of a discrimination would lead into a labyrinth, for in a vast proportion of cases original holders who had made assignments could not be identified. Under the circumstances of issue, many certificates bore the names of clerks or of chance third parties. Even the friends of a discrimination made no pretense of tracing intervening possessors. All allowed that to try to apply the principle to the Continental currency would be madness. An attempt at sorting out claimants in a discrimination must "fill the land with discontent, corruption, suits, and perjury. . . . The new paper, if not transferable, will be no great relief; if transferable, there will be a new harvest of speculation; the after-crop will be more abundant than the first cutting" (Ames).

These defenders of funding, as outlined by Hamilton, were remarkably realistic. Without taxing their ingenuity, they called up cases that would render discrimination abortive as well as pernicious. This was particularly true of Smith, who was surely briefed by Hamilton, and became the secretary's spokesman on the floor. His penetration to particulars is eloquent of Hamilton's knowledge and facility. Smith deserves credit for his ability to remember and recite his lessons, if we put a lower value on his contribution than is proper.²⁰

So much for the logic and expediency which Hamilton's supporters marshaled. Never was a minister more faithfully or zestfully represented in a legislative contest. If these men were actuated by selfish personal motives, their language concealed it with surpassing art. Boudinot and Smith especially held securities in quantity, and the latter is supposed to have bought up many of his in their depreciated state. Doubtless their interests operated in their advocacy, for men are not gods. They would have denied it, with sincerity. To suppose them venal is to distort the picture. In any event they are to be judged by the force of their reasoning, offered in fair debate, and not by private reasons, if such prompted them. Both sides accepted the gage of legislative battle. The congressional chamber was never a confessional.²¹

Jackson undertook to take off the effect of this "phalanx of orators," as he called them, and was joined by Moore, White, and Page of Virginia. But their arguments were peripheral, or frankly appealed to pity. Jackson pleaded for the soldier who had been compelled to assign because he could not steel his feelings against the wife of his bosom and behold his beloved children starving on a dunghill. It was true, as observed, that the wronged original holders had not begged the discrimination in their favor; it was because "they were generally obscure and indigent; had too much modesty, or perhaps not the capacity to come forward." He believed that "the crowd in the gallery did not consist of original holders." If the cause was equal, the heart should decide, "and gratitude and humanity, its noblest principles, are in favor of the original creditor." Page rose to a higher register: "Where is the breach of faith in Government, if it pays its whole debt, with a justice, blended with mercy, resembling that of Heaven itself, making impartial retribution among the children of men, on the great day of accounts?" Some in the second string of Federalists replied, among them Wadsworth, who was a principal speculator, and Hartley who declared himself "no holder of certificates, directly or indirectly." They strove to restore debate to the realm of principle and law. Wadsworth, from a knowledge commensurate with his guilt, if guilt it was, illustrated his conviction "that seven-eighths of all the alienated debt has not been disposed of by the original holder from necessity."²²

Then the big guns boomed again, Boudinot in a reverberating broadside which shattered further opposition that day, and Madison in discharges aimed at each of the forts erected by his enemies. Boudinot used ammunition he had carefully collected from the experience of Britain and France, and called on the authority of Devenant and Sir James Steuart in a fashion suggesting Hamilton's coaching. He was the accomplished lawyer, presenting a comprehensive brief. Stone of Maryland, who followed him, wavered between the promptings of private compassion for the soldier and public obligation to the speculator. Not so Madison, who in his seriatim rebuttals went a length toward repairing his defenses. He was helped by what his bitterest antagonists had freely acknowledged, his perfect sincerity. He too had done homework, and found historic cases (previously denied) in which governments had

interfered between original creditors and assignees. He answered frankly embarrassing queries that had been flung at him, involving his own moral conduct if he were the beneficiary of a discrimination. But his particular rejoinders were less than his main reliance, that this was "a great and an extraordinary case; it ought to be decided on the great and fundamental principles of justice." The "extremity of the evil . . . justified the interposition" to requite the injured original creditor.²³

The spectacle was affecting—first-rate men, responsible legislators at the outset of the nation, seeking to know where public duty lay, and exactly opposed in their conclusions. Of course, they were not above pressing a debater's advantage, and Madison, from the nature of the position he had taken, occasionally lapsed into begging the question. But the whole contention was pitched high, and is an instruction in patriotism as much as in right fiscal policy. Hamilton did not tremble for the result, though it meant so much for the country's (and his own) credit. He knew that the votes, when they should be given, would approve his recommendation, for he could count the House on each side. But more than this, he reposed confidence in the wisdom and necessity of his plan, and had assured himself, in long scrutiny, that no other was workable. Madison, as leader of the opposition, was fighting a losing battle from the first. He did not know the terrain as Hamilton did. The technical features of funding perplexed some, who were prone to excuse their disability by charging the secretary with purposeful confusion of honest minds. Not so Madison. His incapacity at this point was of a different ilk. His orderly wits grasped the facts, but he was too scrupulous to surrender abstract equity to the demands of feasibility. The latter seemed to him unworthy, when actually, under the circumstances, economic and legal, expediency was the higher virtue. Men said at the time, and others have supposed since, that a judgment of government between first creditors and ultimate holders of the debt, restoring a portion to the former and paying highest costs to the latter, would have satisfied both. Moreover, this would have discharged the national obligation in the eyes of the world.²⁴ Such an opinion was and is unmindful of the administrative jungle into which attempted discrimination would have led, to say nothing of the violation of the Constitution, the invitation to fresh abuses of speculation, and enduring damage

to capacity of the nation to borrow in future. A faculty in Hamilton, often illustrated, was his willingness to sacrifice the lesser to the greater benefit.

The debate wore on. For discrimination, historical precedents were cited; opponents promptly strove to upset these sanctions. A deal of old straw was threshed over, until, February 22, 1790, the question was taken on Madison's motion for a composition between original and final holder, and was voted down, 36 to 13.²⁵

The second and third propositions drawn from Hamilton's report were approved with little cavil. These were that permanent funds should be appropriated for payment of interest and gradual discharge of the principal of the domestic debt, and that arrears of interest (indents) should be provided for on the same terms with the principal.²⁶ Then came on the proposal that the debts of the states (with the creditors' consent) ought to be assumed by the United States. After the usual efforts to defer this, perhaps to the next session, the Committee of the Whole confronted it squarely. Samuel Livermore, of New Hampshire, opened for the opposition. Now approaching sixty, he was a man of force, who commanded attention. Long in the old Congress, he had contended valiantly for the Constitution,²⁷ and remained at this time chief justice of his state's supreme court. Vigorous, abrupt, often prejudiced, he was kindly and candid, carrying the stamp of the northern frontier where he had planted himself. He had opposed a discrimination ("Esau . . . sold his birthright for a mess of pottage, and heaven and earth had confirmed the sale"),²⁸ and now he was as blunt in rejecting assumption. The arguments he announced became staples in the weary discussions that followed.

Livermore considered the committee was not fully aware of the "very extensive nature" of the proposition. Therefore proceed slowly. The secretary himself would not provide for the state debts "for a long time to come." The states and their creditors had made no application. It was enough for the central government to shoulder its acknowledged debts without assuming dubious ones. If Congress overleaped, perhaps it must disappoint its real creditors. The amount of the state debts, and whether for war purposes, were alike uncertain, which made any action concerning them premature. If the committee must have haste, let it give assumption a speedy negative. Lawrence of New York pointedly replied to

these objections, repeating the reasoning of Hamilton. Stone of Maryland evidently had not thought sufficiently of what he wished to say before he rose. He argued eloquently that responsibility for the whole of the debts must perforce give the national government first command of the sources of revenue, which would prove to the central power "walls of adamant, impregnable to any attempt upon its fabric or operations." He went so far in picturing the desuetude of the individual states that he convinced himself against his position. The step should be deferred until states and their creditors had been fully consulted.²⁹ A variety of speakers came forward in rapid succession to diminish the impression Stone had made, Clymer and FitzSimmons from Pennsylvania, which had made notable progress in paying her debt, and Gerry, Burke from South Carolina and Goodhue from Massachusetts, which were heavily burdened.³⁰

It remained for Sedgwick of Massachusetts to give a ringing, unequivocal defense of the secretary's measure. This was the service rendered the secretary by Boudinot in opposing discrimination. He was from the heart of the Shays country, had risked much to suppress a rebellion. He explained that the rising was against state taxes levied to pay debts incurred for national purposes. The debt which had caused so much mischief was the obligation of Congress, for whom the states had acted as agents. The states would not be annihilated by assumption. When did a state endear itself to its citizens by loading them with taxes? Congress had the constitutional power to levy money where the expenditure, as here, was for the general welfare. Assumption should be prompt, to banish distrust and jealousy between the states, and, worse, between the states and the general government. A competition for revenue would breed dissension and inefficiency. Look at the "disgraceful situation" of the state securities, inviting rampant speculation. On the other hand, if the national government made the provision asked, it would become "the centre of the wishes and affections of the country." The state debts would be stabilized, would circulate as money, encouraging every useful occupation. Assumption would "constitute us, in fact, a nation—a great, a flourishing, and a happy people."

Madison was inhibited by the conviction that, if state debts were to be assumed, those already discharged should be incorporated

with those yet outstanding, else the more diligent states would be burdened for the sake of the neglectful. The investigation of state accounts should be broadened to include this object. Assumption should be delayed until paid debts could be exhibited with the unpaid. This became a theme with others of his mind. Those favoring assumption answered that all would be comprehended in the end, but that in the meantime the principle, or policy, of national responsibility should be established. White of Virginia said Madison's proposal for prior full ascertainment of all state debts should be pushed to its logical conclusion. Let Congress discover the amount of each state debt for national purposes above its due proportion, and then assume only this net balance.³¹ This amendment to Hamilton's recommendation became, for long, the bone of contention.

In the whole debate rumbled the noise of conflicting opinions concerning the nature of the new government. It was the old story of the conventions that made the Constitution and adopted it, now revived by the practical problems of command over revenue. Was the central authority supreme, or only within a prescribed sphere? If the latter, would not these confines be broken through by abuses of national taxation that would be necessary if the debts of the states were assumed? Import and excise duties, to which the secretary had pointed, would not serve. Congress must lay direct taxes, a land tax.³² This became a bugaboo. Would the effect be to draw from poor people in remote districts for the benefit of the wealthy in main centers of speculation and trade?³³

The champions of states' rights were embarrassed because in clutching sovereignty they must forfeit or endanger solvency. Their discomfiture was apparent at every turn. When was debt a badge of independence? It would be hard for the states to pay their creditors, but ignominious and dangerous to mortgage their domains to the federal government for the purpose.³⁴ So the states, for freedom, must wear chains. The more perspicuous friends of the states, to escape this dilemma, conceded that ultimately the central government must make itself chargeable, but, irresolutely, they wished to postpone the day.³⁵ Hamilton and his supporters, by contrast, were in a strong position tactically, for they were willing, for the sake of uniformity and economy in tapping revenue, and to foster a national spirit in the country, to add to Treasury

burdens. However, two elements in his proposal plagued the secretary—even the outstanding state debts, as he admitted, were not exactly determined in amount, and the constitutionality of assuming them was with many in doubt.

At the end of February, White's amendment (that Congress should assume only the part of a state's debt which was above that state's just proportion) was voted down, 32 to 18. The debate exhibited unwillingness of states that had made progress in meeting their debts to be taxed for the sake of Massachusetts and South Carolina, which were still heavily obligated. Of course, the states thus disparaged made spirited reply.³⁶

Jackson of Georgia impugned the motives of the secretary. Beginning by a tribute to "the force of his genius," he thought that Hamilton, ambitious "to do the utmost for the Union," had been impolitic. If he meant to make creditors in remote parts of the country support the central government, he would be disappointed, for securities to the southward were passing to speculators of the cities. If the secretary meant to aggrandize all right of taxation to the national authority, this would leave the states mere shadows. Later, Jackson returned to his *argumentum ad hominem*, implying that Hamilton was assuming debts to show his skill in managing taxes necessitated thereby.³⁷

Madison, after a false start,³⁸ proposed that the nation reimburse states for the parts of their debts they had already paid, as well as assuming the portion outstanding, as the secretary recommended. This would lessen inequalities and reconcile states which had made superior exertions toward extinguishing their commitments.³⁹ Ames branded this as "a provision *ex abundanti*, and undertaking to pay debts already discharged. . . ." A work of supererogation, this would render assumption unfeasible by overdoing it. He urged instead expediting a final accounting, which would reduce amounts to be assumed.⁴⁰

Hamilton's "report and estimates of extraordinaries" for service of the current years was laid before the House. Perhaps this suggested to White that the secretary be directed to say what resources could be applied to payment of the state debts, should these be assumed. Those for White's motion contended that further discussion of assumption must wait on receipt of this information of ways and means. The Federalists were against the call. It was

unfair to the secretary, who was constantly having petitions referred to him, and who doubtless had his reasons for deferring the estimates now demanded.⁴¹ The House was evenly divided on White's proposal, and the vote of the Speaker carried it.⁴² For good measure, keeping the secretary from idleness, Stone put through a motion requiring him to report the amount of impost and tonnage received from the commencement of collection to the end of 1789. Smith and Boudinot, to make obnoxious Madison's project of repaying the states for debts they had discharged, amended it by including interest. Increasing the incumbrance by twelve millions, as it was estimated, was too much for Madison and his friends, and their scheme of reviving dead state debt was negatived, 28 to 22.⁴³

Sharp conflict arose over whether assumption would be brought back on the boards until Hamilton's report on means of meeting the interest of the state debts should be before them. FitzSimmons won the day by assuring that the secretary would respond at once, and Hamilton made good the promise next day, March 4.⁴⁴ He trusted that, on such short notice, the House would be satisfied with his enumeration of the likeliest objects of revenue, and their probable yield, without going into detail. Even so, his instant report was fairly thought out. He avoided proposing taxes on houses, lands, or farm stock and produce, which had been so much reprobated. He proposed increasing import duties 10 per cent, but preserving the discrimination in favor of American bottoms. Additional import duties should be laid on sugar, molasses, spices, salt, spirits, and manufactured tobacco. The only excise he urged was on tobacco manufactured in America, principally snuff. Carriages, licenses to practice law, playing cards, sales at auction, and wines and spirits sold at retail should be taxed, for persuasive reasons which he offered. This whole revenue would amount to \$1,040,000 at least. While at it, he reported the net proceeds of duties on imports and tonnage, which the House had so recently required.

Thus confounded, the enemies of assumption were treated to renewed pressure for the measure, in which Bland of Virginia and Scott of Pennsylvania joined. Vining of Delaware threw aside his remaining doubts; the assumption would work some inescapable injustices, but he had "launched [his] bark on the Federal ocean,"

and would endeavor to bring her to port "with her invaluable cargo," though with loss of some of her rigging.⁴⁵

Debate now shifted to the options which Hamilton (as Fitz-Simmons had stated them) held out to holders of the domestic debt, including state debts, in the funding. Opposition to them, chiefly by Southern members, was on two grounds—they were too many and too complicated, and provision for slow redemption would be attractive only to foreigners and would throw more of the debt into their hands. To counter these objections, Ames gave a lengthy defense of Hamilton's funding scheme. The material of his explanation suggests Hamilton's hand in its preparation.⁴⁶

The Committee of the Whole at the end of the day, March 13, passed its resolutions on the secretary's report, the numerical vote not given.⁴⁷ It was said later that approval was "by a majority of four or five members only."⁴⁸ Then intervened, for a week, renewed debates on the antislavery memorials. The result, so far as the subject itself was concerned, was an emasculated version of the original sympathetic report of the special committee to which the memorials were referred. The moral commitment of Congress against slavery was eliminated.⁴⁹ However, this bitter dissension put back progress on Hamilton's plans. Many Southern members were roused to fresh hostility against aggrandizement of the central government. Also, during this interval representatives from North Carolina began to arrive—Williamson on March 19, followed by Ashe, Bloodworth, and Steele in the next four weeks. When it was moved in the House (March 29) to consider the report of the Committee of the Whole on the debts, Williamson unsuccessfully moved for postponement. The report had been no more than read, though, when other Southerners renewed Williamson's plea that at least the approval of assumption be recommitted. Williamson wanted his whole delegation to be heard, he had papers at home which he wanted time to lay before the House, and he voiced objections to assumption that had been completely answered before. Recommitment passed, 29 to 27, and the next day the remainder of the report suffered the same fate.⁵⁰

Most of what had been accomplished, in approving Hamilton's proposals, was to be done over again. Williamson brought forward no new arguments, and was chided by Sedgwick for taxing the patience of the committee. Even his report that North Caro-

lina, in endorsing the Constitution, had urged an amendment against assumption was disputed. Much of the debate was inspired by supposed local advantage, even within states.⁵¹

During the discussion anxious allusions were made to the nearly even division of the committee concerning assumption, and members favoring the measure were apprehensive, should it miscarry, that the prospect of establishing a strong Union would be sacrificed. Sherman summed up for assumption. The issue was put to a vote, and lost, 31 to 29. Sedgwick, in defeat, made an impassioned short speech. As the injury done Massachusetts was calamitous, her tax resources, which she would need to discharge her heavy debt, must not be invaded by Congress. And without such trespass, could the debts acknowledged to be national be met? Opponents said he should have reserved his remonstrance until the question was tried again in the House itself.⁵²

This contretemps left the committee in an agitated mood. As appeared later, intemperate threats by Sedgwick gave the enemies of assumption an additional edge. Madison took Sedgwick to mean that rejection of assumption would endanger loyalty of Massachusetts to the Union.⁵³ Gerry, also from Massachusetts, tried to soothe with a proposal, not immediately acted upon, to refer the state debts to a grand committee of a member from each state.⁵⁴ Next, friends of assumption sought to block any further consideration of the secretary's report until accommodation had been reached on assumption, but lost by a vote of 33 to 23. Assumption, already refused as a general proposition, was now excluded from options for conversion of the domestic debt.⁵⁵ Hamilton's first option (to fund two-thirds at 6 per cent and receive the remaining third in lands) was accepted. The next two were altered to raise the interest from 4 to 6 per cent, and to redeem more rapidly, and thus were agreed to. Sherman, persistent for assumption, would remove objections by reducing the amounts of the different state debts to be assumed at once (something in excess of \$19,000,000 instead of Hamilton's estimated \$25,000,000), leaving the remainder to be provided for by the respective states until a final accounting was had.⁵⁶

Madison repulsed this as no better than the secretary's plan. He rehearsed what had become stock arguments against assumption, and observed besides that of the state legislatures that had been

in session only South Carolina made any demand for the measure. He pointedly declared the aversion in some parts to an excise, in words doubtless remembered when the Western rebellion soon commenced.⁵⁷ FitzSimmons, who had shown some signs of wavering before, successfully moved to discharge the Committee of the Whole from further consideration of assumption for the present. The vote, 32 to 18, drew all but the staunchest defenders of Hamilton's principle.

Swift action on the remainder of the secretary's report followed. The committee and then the House itself adopted, with the exception of assumption, all that was useful in Hamilton's scheme. Slight modifications were made in sections that were retained, and superfluous options for conversion were eliminated. The voluntary character of funding, though many considered this nominal, was preserved. His proposed scale of duties was approved, with trifling addition.⁵⁸ It was a tribute to the secretary's forethought that after some three months of debate, in which at times wide cleavages appeared, his proposals for supporting the public credit—though without assumption at this point—were approved with so little change.

Committees were appointed to bring in bills conforming to the resolutions for funding and for the necessary tariff of duties.⁵⁹ After more than three weeks, when these were in, Sedgwick, overcoming opposition, got the Continental bills of credit included in the funding.⁶⁰ Hamilton in his report had proposed that this paper money, if paid by the states into the national Treasury, "be credited at specie value."⁶¹ He estimated the Continental bills at \$2,000,000.⁶² In Committee of the House various rates of redemption were suggested, ranging from 40 to 1 at the best to 500 to 1 at the worst. The next day, the committee agreed to fund these bills "at one hundred dollars for one dollar in specie."⁶³

The friends of assumption, in spite of two rejections of the measure, were not finished. A month earlier, feeling the need of more accurate data, they had called upon the commissioners of accounts and upon the secretary for particulars of claims of the states against the United States.⁶⁴ Armed with these reports, the Federalists returned to the attack. They should be allowed to answer Madison's points—uninformed and specious as they thought—in his speech which had felled them before. The doubtful

FitzSimmons was for putting assumption in a separate bill, but others, firmer in their faith, held it was an integral part of the funding and must be included in the plan for the remainder of the domestic debt. Gale, Parker, Lee, and Page tried in vain to block resolutions of Gerry, submitted for discussion, which provided for assumption in all its features.

The next day, May 25, Boudinot spoke at length. He principally refuted Madison's contention that evidences of national debt in the state treasuries were on a footing with national debt held by individuals, and that if the latter were to be assumed, so should the former. Said Boudinot, "whenever the State has discharged a debt owing by Congress, to the individual citizen, and has the evidence of it in her Treasury, such State has no right to demand a repayment until, by the settlement of her accounts with the United States, it shall appear that a balance is due to her." This was Hamilton's position. Ames spoke as lucidly, and even longer, fairly reinstating assumption as an issue before the House.⁶⁵

Perhaps those for assumption could have won a majority by further clarification and argument. As it was, opponents played into their hands by reviving and pressing the old demand, so tediously bruited in the former session, and before that, for the removal of Congress from New York. The Federalists tried to put them off—as it turned out, to save them from themselves. The House should not be diverted from the problem of funding. Thatcher of Massachusetts "did not think it of two paper dollars' consequence . . . whether Congress sat at New York, Philadelphia, or on the Potomac." Sherman, Smith of South Carolina, and Gerry were similarly indifferent about the next meeting place, for "it is of more consequence to the people what Congress do than where they sit."⁶⁶ But Southern members were insistent on drawing the capital—temporary and then permanent—toward or quite to the Potomac. In their sectional zeal they did not see that they might have to bargain for their object, conceding assumption in order to get the seat of government. Ames said the Federalists were sincere in thrusting into the debate the ultimate location, as well as that to which Congress might go for the time being.⁶⁷ It would have served their purpose as a tactic, for it protracted the discussion and committed the Southerners even more ardently to their demands. Perhaps these last did not realize their danger

because they were scoring further against the assumption, by voting down the bill providing for an excise on distilled spirits.⁶⁸ Also, as adjournment of this session approached,⁶⁹ they became more anxious to wrench Congress away from New York for the next session. Friends in the House of the southward trek were spurred by choice of the Senate, July 1, to move to Philadelphia in December, 1790, and after ten years to go to the Potomac for the permanent residence.⁷⁰ The Virginians became nervous as the claims of other places were urged—Wilmington or some point on the Susquehanna (supposed to be nearest the then center of population), and particularly Baltimore. Smith of South Carolina fancied that Baltimore “was the furthest Southern position the gentlemen from the Eastward will ever consent to go.” Indeed, he believed the Potomac was tacked to the bill “merely to carry Philadelphia.”⁷¹ Others freely said that if the capital remained at Philadelphia for ten years, no further move would be made; the site on the Potomac was a wilderness, and even if government offices were erected there, Congress might insist on meeting at Philadelphia.⁷² Several Northerners, and Burke of South Carolina, were for continuing the temporary residence at New York.⁷³

In this heated controversy members more aware, or more candid than others, implied that those for the Potomac would be wise to think better of the assumption of the state debts. Lawrence “adverted to the funding business, and other important matters remaining to be decided on, and very strongly intimated that these questions were to be determined agreeable to the fate of this bill.” Lee of Virginia, conscious of sectional passions, was alarmed at the prospect of “disunion, ambition, and rivalry” unless “a national, generous, and equal attention to the Southern and Northern interests” supervened.⁷⁴

After a week of debate, July 9, when a fusillade of last-minute hostile amendments was beaten back, the Senate proposal was carried—open the next session in Philadelphia, and after ten years go to the Potomac. The vote was close, 32 to 29. In the majority were Virginians, North Carolinians, and Pennsylvanians. The minority was composed principally of members north of Pennsylvania, with three South Carolinians.⁷⁵ To this point the Southerners had won, for they had downed assumption and captured the capital. Then the supporters of Hamilton’s report got yet

another chance. This was because the Senate had amended the funding bill by incorporating the assumption.⁷⁶

Jackson of Georgia took the floor soon after the House addressed itself to the Senate's amendment which restored assumption, moving disagreement to it. In a long speech he rehearsed all the arguments against assumption, by this time tediously familiar. The "wicked" assumption, though repeatedly defeated in the House, in the hands of its pertinacious advocates was Protean. The Senate was presumptuous to revive it as an "amendment," when in fact it loaded the people with enormous debt, which was not in the constitutional competence of the Senate. He damned the "speculators and State brokers" who were defrauding "three-fourths of the honest part of the community." He did not believe there were twenty original holders in Georgia. "The more checks there are to any Government, the more free will its citizens be," but state powers were being sucked into "the vortex of the all-devouring General Government."

Perhaps later, when Jefferson sought to exculpate himself from his agency in carrying the assumption, he was feeling the force of Jackson's prophecy: "America, sir, will not always think as is the fashion of the present day; and when the iron hand of tyranny is felt, denunciations will fall on those who, by imposing this enormous and iniquitous debt, will beggar the people and bind them in chains."⁷⁷

Smith of South Carolina answered in restrained but equally earnest language. Jackson had depreciated the burdens complained of by Massachusetts and South Carolina. Smith was particular as to the genuine suffering of his state. On his part he showed how Virginia and Maryland, foremost in opposing assumption because they had discharged large portions of the debts, had been well able to accomplish this. Opponents of assumption contradicted themselves when treating the program for a final settlement. They first proclaimed that this would compel the prudent states to pay twice, and when confronted with the fact that adjustment of accounts would equalize all, they denied that this process would ever take place. He was certain it would be completed, but even without it, assumption would accomplish more justice than if states, burdened beyond their capacities, were made the victims of their patriotism.⁷⁸

Gerry, at his earliest opportunity, told in detail of the exertions of Massachusetts for the war and in discharging the debts since. Her excessive zeal to tax herself brought on Shays' insurrection. The apportionment to his state under the Senate's plan of assumption was stingy. But accommodation was imperative to save the funding scheme, which induced him "to swallow a political porcupine." To postpone or refuse was to invite convulsions and insolvency.

On this plea Jackson's motion to reject the Senate's bill, including assumption, was negatived, 32 to 29. Those for assumption were predominantly from states north of Maryland, with two from South Carolina and two from Virginia. Those opposed, while mostly Southern, had a sprinkling of others, all the way up to New Hampshire.⁷⁹ The House then accepted the Senate bill, though with an amendment that did not change the principle of the assumption. The vote, 34 to 28, showed the same alignment as before except that those for the funding measure had picked up two recruits, both from South Carolina, Sumter who had been on the other side, and Huger who had not voted before.⁸⁰

The long-fought question now entered its last vexing stage. The Senate disagreeing to some of the amendments, sharp debates ensued in the House on receding or standing fast. Friends of assumption divided. Ames was for defending the position of the House, which was close to that of the secretary; he calculated that the Senate would deprive the creditors of 18 per cent of their deferred capital. Sedgwick was conciliatory. The Senate wanted interest of 3 per cent to commence on the deferred state debts after ten years, the House after seven. He would not quarrel over this. He was prepared to accept features he did not relish. The majority took his view, but Lawrence, Ames, Gerry, and Seney voted with the minority. This was July 29, 1790. The funding bill had passed both houses.⁸¹

Congress was deadlocked between champions of Hamilton's fiscal proposals on the one hand and those determined to move the national capital southward on the other. The impasse was broken by a plea of Hamilton to Jefferson. To calm threats in Congress of disunion, a couple of Virginia votes would be changed to carry the assumption. As a counterpoise, needed Northern votes would be secured to fix the permanent national capital on the Potomac.

This last, according to one account by Jefferson, was an afterthought on the Southern behalf. Marginal concessions by stubborn opponents enabled an effective bargain.

We have no allusion by Hamilton to this maneuver. Our knowledge is from two versions of the engagement recorded by Jefferson, one three years after the event, the other a quarter-century later.⁸² Fortunately, in both fact may be satisfactorily separated from fiction. The earlier account is more circumstantial, though it closes with an accusation of Hamilton's duplicity. The revision, in Jefferson's "explanation" of his *Anas*, is similar as to the transaction, but further sacrifices, shall we say, memory to rankling resentment.

Taking the original story, as more nearly contemporary, the two Cabinet ministers met by chance before the President's house. Hamilton's "look was sombre, haggard, & dejected beyond description, even his dress uncouth & neglected, he asked to speak with me, we stood in the street near the door, he opened the subject of the assumption of the State debts, the necessity of it in the general fiscal arrangement & its indispensable necessity towards a preservation of the union." If Hamilton had not sufficient influence to enact assumption "he . . . was determined to resign." However, before accepting defeat he would remind that "the Administration & it's success was a common concern, and . . . we should make common cause in supporting one another. . . . I thought the first step towards some conciliation of views would be to bring Mr. Madison & Col^o. Hamilton to a friendly discussion of the subject. I immediately wrote to each to . . . dine with me the next day. . . . They came, I opened the subject to them, acknowledged that my situation had not permit^d me to understand it sufficiently but encouraged them to consider the thing together. They did so, it ended in Mr. Madison's acquiescence in a proposition that the question should be again brought before the house . . . , that tho' he would not vote for it, nor entirely withdraw his opposition, yet he should . . . leave it to it's fate. It was observed, I forget by which of them, that as the pill would be a bitter one to the Southern States, something should be done to soothe them, that the removal of the seat of Government to the Patowmac was a just measure."

The subsequent narrative, while enveloped in detraction of

Hamilton, yet added important detail. Jefferson, without attempting to pass on the propriety of assumption in itself, exhorted that for "preservation of the Union . . . the vote of rejection should be rescinded, to effect which, some members should change their votes. . . . it was thought that by giving [the seat of government] to Philadelphia for ten years, and to Georgetown permanently afterwards, this might, as an anodyne, calm . . . the ferment which might be excited by the other measure alone. So two of the Potomac members ([Alexander] White and [Richard Bland] Lee, but White with a revulsion of stomach almost convulsive,) agreed to change their votes, and Hamilton undertook to carry the other point," which he did with the help of Robert Morris, "and so the Assumption was passed. . . ."

Though there are earlier intimations in Jefferson's letters of this compromise impending, the first news of its probability is in his warning, if that is the right word, June 13, 1790, to George Mason, the presumed foe of any yielding by Virginia. Jefferson saw hopes of eventual location of the capital at Georgetown. "The question of assumption will be brought on again. . . . Perhaps its opponents would be wiser to be less confident of their success, and to compromise by agreeing to assume the State debts" on a plan deemed fairer to states which had made progress in repayment. "In general, I think it necessary to give as well as take in a government like ours."⁸³

A week later, writing to Monroe, another Virginian whose hostility would need placating, the bargain seems unmistakably to have been set in train. Opposed forces in Congress were at a stand on funding and placement of the capital: ". . . unless they can be reconciled by some . . . compromise, there will be no funding bill agreed to, our credit . . . will burst and vanish, and the States separate. . . . Endeavors are . . . using to bring about . . . some mutual sacrifices." It was proposed to strip assumption of repugnant features and to fix the permanent capital at Georgetown. "In this way, there will be something to displease and something to soothe every part of the Union. . . . If this . . . compromise does not take place, I fear . . . an unqualified assumption and the perpetual residence on the Delaware."⁸⁴ Jefferson's agreement, at first, in Federalist measures is not better illustrated than in his letter to Monroe, July 11, 1790.⁸⁵ Since Phila-

delphia had been decided on as the capital for a decade, "Congress will now probably proceed in better humour to funding the public debt. This measure will secure to us the credit we now hold at Amsterdam. . . . Our business is to have great credit and to use it little. Whatever enables us to go to war, secures our peace. . . . it is essential to let both Spain & England see that we are in a condition for war . . . our object is to feed, & theirs to fight. If we are not forced by England, we shall have a gainful time of it." He looked with alarm on the possibility Britain would seize the Mississippi Valley. With progress reports between times, he announced to his son-in-law, August 14, 1790, with evident satisfaction, that Congress, shortly before adjourning, had "re-acquired . . . harmony" by reconciling assumption and residence. "It is not foreseen that anything so generative of dissension can arise again, and . . . the friends of government hope that, this difficulty . . . surmounted . . . , every thing will work well."⁸⁶

We may conclude from this showing that Jefferson's little dinner at his house in Maiden Lane, where Hamilton and Madison, recently at such odds, ate with short spoons, happened a few days before June 20. The result took a while in the doing, for the Potomac Capital was voted not until July 16, and assumption on August 4, 1790. It is plain that Jefferson entered into the accommodation, or bargain, deliberately, for the sake of national unity and preservation of our credit abroad. Said an editor, "*The Residence . . . will sail in company with the Assumption.*"⁸⁷ Andrew Craigie, already caressing his speculative gains, eagerly informed a European colleague that the "bargain" by which the residence was fixed and "the funding & assumption are secured" was in immediate prospect.⁸⁸

This recital has been confined to the actual bargain, including nothing of the blame which Jefferson, later, fastened on Hamilton for seducing him into it. He prefaced his *Anas* with the assurance (1818) that he had given his earlier notes "a calm revisal, when the passions of the time are passed away. . . ." In this detachment he described the opening struggle over funding, the scramble of speculators to cozen depreciated certificates from their unsuspecting owners, and the zeal with which the beneficiaries of Hamilton's cunning pursued his enterprises. "This game was

over, and another [the project of assumption] was on the carpet at the moment of my arrival; and to this I was most ignorantly and innocently made to hold the candle. . . . But a stranger to the ground, a stranger to the actors on it, . . . and as yet unaware of [the] object, I took no concern in it." The House had rejected assumption, Eastern members were threatening secession, and Hamilton "was in despair" when he "painted pathetically" to Jefferson "the temper into which the legislature had been wrought." In mutual loyalty to the President, he entreated Jefferson's aid in contriving a solution. Thus the Virginian's good will was disingenuously worked upon to accomplish assumption and throw in "twenty millions of stock divided among favored States . . . as a pabulum to the stock-jobbing herd. This added to the number of votaries of the Treasury, and made its chief the master of every vote in the legislature, which might give to the government the direction suited to his political views."

Jefferson continued with animadversions on Hamilton's evil design of the Bank of the United States as a monarchical instrument of warping the Constitution "into all the . . . pollutions of their favorite English model."⁸⁹

Something more than a year after the bargain, Jefferson told Washington he had been tricked by Hamilton. The only time he meddled with Congress, "I was duped into it by the Secretary of the Treasury and made a tool for forwarding his schemes, not then sufficiently understood by me; and of all the errors of my political life, this has occasioned me the deepest regret." He meant later to explain this to Washington at length.⁹⁰

Contrary to his charges afterward that Hamilton deceived him, Jefferson's letters in the months when assumption was in controversy show that he was conversant with the proposal and could calculate as well as anyone its political implications. He differentiated between forms of assumption quite as plainly as did Gallatin a few years later.⁹¹ His main objection to assumption was that, increasing the necessity of federal rather than state taxation, commerce would be unduly burdened by import duties.⁹² Further, during this period of bitter contest Jefferson was in intimate contact with his friend Madison who was leading the fight against funding and whom he first called in to devise a formula

of agreement with Hamilton. It would be strange if Madison did not keep Jefferson informed of arguments and vicissitudes of the conflict in Congress.⁹³

In fact, in the beginning of his Cabinet service Jefferson experienced a nationalist elation. He wished to subordinate other considerations to auspicious establishment of the central government. He was, temporarily, another Jefferson from the later enemy to federal measures. Thus, "in the present instance, I see the necessity of yielding to the cries of creditors in certain parts of the Union; for the sake of union, and to save us from the greatest of all calamities, the total extinction of our credit in Europe."⁹⁴ And he hoped that, once placement of the capital and funding were settled, "nothing else may be able to call up local principles." And, looking to our separate national prosperity, in the likely event that France and Spain went to war with England, "I hope the new world will fatten on the follies of the old. If we can but establish the armed neutrality for ourselves, we must become the carriers for all parties."⁹⁵

Afterward, when antagonism between Jefferson and Hamilton commenced and rapidly waxed to notorious proportions, each was so imbued with suspicions of the other that he gave the worst meaning to any action of his opponent. Each was identified in the public mind as the champion of a party. It was under this emotional stress that Jefferson, in recounting the bargain over assumption, accused Hamilton of taking him unawares. The event proved, as Jefferson recorded in mournful hindsight, that assumption and the related Treasury program were powerful forces in fixing federal supremacy. Jefferson, as leader of the states' rights contingent, was profoundly embarrassed that he had assisted at the birth of a hated measure. So in afteryears he yielded to the temptation to exculpate himself and, correspondingly, fix a fraud upon Hamilton. Actually, Hamilton had emphasized in his official report out of which the controversy arose that the heart of the creditor would be where his treasure was, that those who looked to the central government for repayment would vest it with their loyalty.⁹⁶ It was this national loyalty that Hamilton entreated Jefferson to help him ensure. Jefferson's misrepresentation of what happened between him and Hamilton was unworthy of him. Jefferson bore false witness, in the instance of the *Anas* years after

Hamilton was dead, and deliberately intending to perpetuate the lie with posterity.

The present pages, more than some, refrain from portrayal of the personal animus between Hamilton and Jefferson as protagonists in the historic American conflict. There is no profit in making feathers fly and spurs flash in a cockfight. Each of these leaders made a basic contribution to our polity. They were less generous to each other than were both to the national accomplishment. Their fierce espousal of rival principles, or policies, issued, as neither could foresee, in complementary achievement. Discredit, against whichever one assessed, is less deserved than appreciation of benefits which they mutually conferred. Still, be it said for the record—and more in sorrow than in anger—that in picturing the triumph of assumption Jefferson dealt unfairly with his partner to the compromise. His affront to the truth was petty, too, for he could have testified simply that he came to regret the approval which he had earlier given in honest error.⁹⁷

By way of postscript, there can be no doubt that those who purchased the capital on the Potomac thought the prize more nearly worth the price than Hamilton did.⁹⁸ He placed value on a northern location, as his votes in the last old Congress and his actions showed, but his ambition for the national government hung on other than physical arrangement. Protocol of the President's levees, whether the Chief Executive's countenance was on the coins, and choice of the capital here or there, which agitated many minds, were to him inferior to structure of the society under the Constitution. In fact geography had foredoomed the plea that the Potomac was midway of the nation. Boone, Henderson, Shelby, Sevier had already undone this calculation, and soon Wayne at Fallen Timbers, Lewis and Clark, and Astor's argonauts were to bulge the country westward.

Handmaiden of
the Treasury

WHATEVER knowledge of banks and banking Hamilton had from books was less pointed than the lessons of his own experience. Only the former guided his pen in proposing a national bank in letters from camp to Duane and Robert Morris a decade earlier. By the time he urged the same expedient on Congress he was informed, in addition, by acquaintance with the Bank of North America and, more important, his participation in the founding and fortunes of the Bank of New York. In the report his "comparison of the advantages, with the disadvantages, real or supposed, of such institutions"¹ is particular and vivid, not general and theoretical as before. In the interval not only had he viewed the operations of the American banks mentioned; he was anxious to obviate public objections which had been raised to them during the business slump of the years just preceding. The Bank of North America had been accused in the Pennsylvania legislature of contributing to the hard times, and the desired charter of the Bank of New York, more than once applied for, was still being refused from similar suspicions. Thus much of his argument went to dissipate "doubts . . . entertained" and "jealousies and prejudices . . . circulated"² concerning existing banks that might hinder establishment of the new one he recommended. In detailing the service of a bank to the government, he could draw on the use he was making in the Treasury of the Bank of New York.

Hamilton's Report on a National Bank, sent to the House December 14, 1790, is the second of his five principal Treasury papers; indeed, it is the logical outgrowth of the first Report on the Public Credit of eleven months earlier. We may count the others as the Report on the Establishment of a Mint (January, 1791), the Report on Manufactures (December, 1791), and the second Report on the Public Credit (January, 1795).³ While the remainder posed problems which led to differences then and afterward, that on the bank is chiefly distinguished for first enlarging the constitutional ability of the central government. Serviceable as was its economic effect, its political consequence was superior. In the sequel, it invoked and validated the principle of implied powers in the fundamental law, and thus opened the future to national operations which otherwise would have been circumscribed. The controversy over legality of the bank went from Congress to Cabinet. In this test had it failed of approval the likelihood is that not only would the economy have been deprived of a valuable facility, but the inclination toward state authority would have been strengthened at an earlier stage. State banks, which rose to plague the country forty years later, would have taken a head start, and would have nourished every desire to frustrate the federal authority. As the second bank was the posthumous child of the first, Chief Justice John Marshall's opinion in *McCulloch vs. Maryland* in 1819, assuring latitude to the central government, would not have been called for. The bank, in the strange way events unfold, was the means by which Hamilton secured the liberal constitution which he had projected in vain in the convention of 1787. His service in the making of the nation was embodied in the bank, less in its function as an institution than as a symbol.

In his report Hamilton did not broach the question of the power of Congress to charter the bank. That would have been to invite dissent that came soon enough. When compelled to defend the bank on constitutional grounds, his success was complete, but at the cost of widening the rift between Federalists and anti-Federalists that had already opened.

The report divides into four parts: (1) the benefits of a bank; (2) the drawbacks; (3) reasons why the Bank of North America could not be taken over; (4) the form of the new bank proposed. From courtesy, Hamilton explained that his treatment of the pros

and cons was for members of the public less informed than delegates in the House, but the fact was that those immediately addressed stood in need of enlightenment. We shall see that some of the most determined criticism sprang from ignorance, or more properly from lack of acquaintance, which was natural in an agricultural country possessing only three banks, and all of them recent. Moreover, Hamilton must be skillful in removing prejudice against paper currency from whatever quarter it issued. He began with this, showing how a bank multiplies the services of gold and silver by issuing notes and honoring checks for the transfer of credits, both of the latter to several times the quantity of precious metals in its capital or deposits. While this increased "the active or productive capital of a country," security was achieved by proportioning liabilities to assets. By contributing to enterprise, "banks become nurseries of national wealth. . . ."

He next dwelt upon the "intimate connexion of interest between the Government and the bank of a nation," illustrated in the emergency loans which the bank could make to the Treasury. This was already proved in American experience.⁴ By enhancing the quantity and speed of circulation of money, banks facilitated the payment of taxes. No single means to national prosperity lay nearer Hamilton's heart than enlarging and quickening currency. He returned to it over and over in many connections, likening it to the lifeblood of the physical body. This required amplifying our insufficient stock of the precious metals by employing hard money as the basis of credit. The credit instruments, notes and checks, must moreover be standardized and universally acceptable because issuing from a reliable source. The contrariety of our currency, specie and paper, had a stagnating influence.⁵

Hamilton then turned to the alleged disadvantages of banks, that they tended to increase usury, prevent other kinds of lending, facilitate overtrading, accommodate ignorant and fraudulent adventurers, and, lastly, banish gold and silver from the country.⁶ He examined each objection, admitting any degree of truth it contained, before seeking to eliminate the argument as ground of opposition. His counterattack was not peremptory, but convinced by citation of experience and by reasoning. In this part of the report particularly, he drew on his knowledge of practice and results in America, not on treatises, European models, or theory. He condensed what

he had learned as a director of the Bank of New York, doubtless supplemented by what he had gathered from Gouverneur and Robert Morris and other friends who were intimately informed on dealings of the Bank of North America. The supposed demerits of banks, which he mitigated or dispelled, were commonly mentioned in current controversy. He agreed that directors of a bank in the beginning, to build business and popularity, might extend credit too freely, and, when the day of reckoning arrived, the incapable borrower might be driven to usurers. As to diversion of capital from other objects, he showed that some would always prefer what they considered the superior safety of mortgages on real estate, while those, at home and abroad, who chose to invest in banks must in any case have their funds where they could be readily withdrawn. The foundation of his whole disquisition was the relative scarcity of currency and credit in America, and his reliance on banks as beneficial because they augmented the supply of these essentials.⁷ In refuting "the . . . heaviest charge . . . that banks tend to banish the gold and silver of a country" by substituting paper, he availed himself of the recent literature of political economy, enlivened by his own analysis and rendered impressive by his singular power of statement.

In this portion of the report he was done with minor pros and cons, and became the proclaimer of firm principle and wise policy. Here he showed his ability to resolve complicated forces which has entitled him to admiration and gratitude as a minister of state. He was fully mindful that "the positive and permanent increase or decrease of the precious metals of a country, can hardly ever be a matter of indifference," and this on grounds better than the old mercantilist shibboleth. The fact was that a nation with no mines of its own must secure the precious metals by a favorable balance of trade, which in turn depended on "the state of its agriculture and manufactures, the quantity and quality of its labor and industry. . . ." Banks enlarged active capital, expanded production, induced exports, therefore favored the increase of the precious metals.

Sure of this proposition, he noticed the contention that extravagance, thought to be encouraged by paper money, would lead into an unfavorable balance of trade which dependence on a gold and silver circulation would have prevented. But "illusions of an ideal

wealth" resulted from a national revolution engendering "the continual multiplication of a depreciating currency," not from the prudent operation of banks. For the amount of bank credit, being based on the precious metals, was self-regulating. True, banks aided the temporary exportation of gold and silver in several ways, but this was for proper purposes, and likely in the very act promoted the acquisition of these in larger amounts.⁸

The evils of stay laws, and speculation in an unstable public debt, which were consequences of the Revolution, were being cured by the Constitution, security of property, and the funding system. They would be further removed by the "more copious circulation which will be likely to be created by a well constituted national bank." Westward settlement increased the need for ampler money, for this movement drew off labor and capital required by the seaboard for progress in industry and exports. While rightly estimating vacant lands as a future resource, Hamilton at this period favored close settlement to gain the benefits of cooperation, rapid exchanges, and variety in production. Association, not scattering of population, must be the rule for advance in new settlements. This was the note struck in all his economic planning. Dispersion led to passivity, propinquity to activity. His Treasury proposals had deeper motives than the fiscal and monetary; as frankly in the case of protection to manufactures, he was devising not simply an exchequer, but a proliferating economy.

Fiat money, wisely forbidden to the states, should be shunned by the general government as a "seducing and dangerous . . . expedient. . . . The stamping of paper is an operation so much easier than the laying of taxes" that a government was likely to surcharge the circulation. But this abuse did not attach to bank paper, which, if excessive, would regularly return for redemption. Bank notes, equivalent to gold and silver, would conserve the latter in collection of taxes from thirteen widely separated states.⁹

Having made his case for a national bank, he showed why the Bank of North America could not be converted to that purpose. Here he must be fair to the claims of the nine-year-old institution at Philadelphia, now the seat of the general government. It had rendered essential services, but, by the state charter it had recently accepted, its capital was restricted to \$2,000,000; even that inadequate amount need not be filled except at the option of the stock-

holders, and the tenure of this bank was for only fourteen years. The Bank of North America was for private profit. While this was a necessary ingredient, in a public bank public utility must be paramount; "such a bank is not a mere matter of private property, but a political machine, of the greatest importance to the State." To enlist popular trust, it must never fall into the hands of a clique. As was not obligatory in the Bank of North America, directors must rotate, stockholders must vote in a due proportion to their shares (as he had insisted concerning the Bank of New York), and foreigners must not participate in its direction.¹⁰

Before presenting his specific plan for a national bank, Hamilton gave his reasons for rejecting several plausible features. He was alert to the preferences, or prejudices, in a new, extensive, agricultural country, divided into semiautonomous states. Therefore he respectfully argued away demands that would imperil or defeat the competence of the institution. He began with the desire which was least ineligible, that the bank should have "a plurality of branches" (read, probably, one in each state). The complexity of such an arrangement, and the threat of mismanagement of a branch to the credit of the whole ought to deter from "adopting the idea as an original experiment." The way should be left open for experience to dictate for the future.¹¹ He was flatly against composing the capital of land, entirely or partly. This was an old infatuation which he himself had briefly embraced a decade before but which he had vigorously repelled a few years later when a land bank was urged for New York and Hamilton promoted a "money bank" in successful opposition. He pointed out, considerately, that land was not liquid security, and even as a partial reliance was unsuitable.

Nor could Hamilton consent to make the bank exclusively public in ownership and direction. "What nation was ever blessed with a constant succession of upright and wise administrators? The keen, steady, . . . magnetic sense of their own interest as proprietors, in the directors of a bank, pointing invariably to its true pole—the prosperity of the institution—is the only security that can always be relied upon for a . . . prudent administration." He discounted supposed precedents of publicly controlled banks in Europe, especially that of Amsterdam "which we best know." However, government might enjoy profits by owning shares, but

these must not be "a principal part of the stock," for government "ought not to desire any participation in the direction. . . ." The right of public officers to know the state of the bank, at any time, would be a proper safeguard to match the note-issue privilege of the institution. This supervision, of mutual advantage, must, however, fall short of "all pretension to control."¹² Omission of public directors does not contradict his earlier injunction that "Public utility is more truly the object of public banks than private profit." Government would determine the charter, have renewal at its option, and, as a large stockholder, would vote for (private) directors. Moreover, the close relations of Treasury and bank would induce cautious management of the latter.

We may deal summarily with the particular recommendations Hamilton made for the organization of a national bank. The capital stock should "not exceed" \$10,000,000, divided into 25,000 shares of \$400 each. Subscriptions, to be paid within two years, should be one-fourth in gold and silver coin, and three-fourths in 6 per cent funded debt of the United States. The bank should be incorporated, its charter to run until the public debt composing part of its capital was redeemed. Debts of the bank, exclusive of deposits, must never exceed the amount of its stock. The discount rate should not exceed 6 per cent. The president might be retained, but of the twenty-four additional directors, one-fourth should leave office every year. Stockholders should vote for directors in a diminishing ratio to the number of shares of each. All directors must be stockholders and citizens. Notes of the bank, payable in gold or silver coin on demand, should be receivable in all payments to the United States. The Secretary of the Treasury should be furnished (probably weekly) with statements of the condition of the bank, and have the right to inspect its general accounts. No similar bank should be established by law during continuance of this charter. The directors might establish branches, but for discount and deposit only—that is, branches should not issue notes and bills. Lastly, the President of the United States should subscribe for the government to the capital stock not exceeding \$2,000,000 out of loans already authorized, "borrowing of the bank an equal sum, to be applied to the purposes for which the . . . moneys shall have been procured," reimbursable in ten years at most by equal annual instalments.

The secretary amplified provisions about which question might be raised. Public debt must form a great part of the capital, for the total amount could not be otherwise collected in this country. The debt, unlike land, was readily convertible into cash, and at rising prices, which the bank subscription itself would assist.¹³ The capital of the Bank of England was public debt, and that bank also confined note issue to the amount of the capital. The discount rate should later be lowered to 5 per cent, as consequence and as cause of further economic progress in America. The main design of the government subscription was to enlarge the specie fund and thus the operations of the bank. The government would borrow the same sum, but disburse it in notes, thus multiplying the effects of the specie. Finally, for promptness and harmony, it would be desirable if the Bank of North America proved amenable to changes in its plan and operations which would permit its transformation into the extensive and safe national bank he envisaged.¹⁴

Hamilton's plan for the bank was approved in the Senate with little ado. The report was received from the House December 23, 1790, and a committee of Strong, Morris, Schuyler, Butler, and Ellsworth was named to prepare a bill. This was submitted ten days later, and after a similar interval was debated. A motion to limit the term of incorporation to seven years was negatived and, by a close vote, twenty-four years was substituted. This produced a proposal for the right to amend (shorten) the term after the first day of 1800; this was rejected, but the friends of the bank agreed, on reconsideration, to end the charter in twenty years, March 4, 1811. This was firmly held to against an effort to cut the period in half, and repeated attempts to deprive the bank of its monopoly were likewise easily turned down. Without a record vote, the bill was passed January 20, 1791, and sent to the House for concurrence.¹⁵

It was fortunate for the secretary's object that the bill was framed in the Senate, for the House, where opposition was keener, had before it from the start a definite text, approved, too, by the upper chamber, though in debate this last sanction was both cited and disallowed.

Hamilton had given notice, almost a year earlier, of his intention to outline the functions and organization of a national bank, and just the day before, in recommending duties on distilled spirits, he

had twice alluded to a public bank as a facility to merchants in advancing the taxes.¹⁶ On December 14, 1790, as soon as received, the bank report was read and scheduled for committee of the whole a week later. However, other matters intervened, and it was not until a month afterward, the Senate bill for the bank in hand, that it was given first and second readings, and debate did not begin until February 1, 1791, more than six weeks after the detailed plan was known.¹⁷ The Committee of the Whole had considered the bill by paragraphs the day previously, but no amendments were offered, and it was reported to the House for third reading.¹⁸ Those ill-disposed toward the bank anyhow were sharper in their refutation because, after acrimonious contention, they had just been compelled to accept another Treasury scheme, the new duties on spirits, including the excise.¹⁹ This was in spite of the unanimous echo by the House of the satisfaction of the President, in his recent address, at the success to that point of fiscal operations.²⁰

Seven Southerners were quick to support the motion of Smith of South Carolina that the bill be recommitted because defects had been passed over precipitately when it received preliminary approval. Smith's own misgivings seemed minor, as did those of Tucker, but Jackson, in the same mood of his assault on funding, discharged a broadside against the bank. By permitting anticipation of public revenues, it would "involve the country in debt, and an endless labyrinth of perplexities." The bank would benefit the mercantile interest only, to the neglect of farmers, especially at the extremities of the Union; he had never seen a bank note in Georgia. This "monopoly of the public moneys" infringed the charter of the Bank of North America. It was unconstitutional. The authors of *The Federalist* had pronounced against it. Williamson, Madison, Stone, and Giles questioned whether the bank was constitutional. Lawrence, Sherman, Gerry, Ames, and Boudinot reminded that regular procedure had been observed, members had had time to examine the measure, and the objections belatedly offered did not warrant recommitment and long postponement. True, the bill could not be amended at its present stage, but its principles could now be discussed at large. The motion to recommit was lost, 34 to 23.²¹

Next day Madison immediately made his comprehensive argu-

ment against the bank. This statement furnished much of the pattern of debate, for it was systematic and Madison was held in special esteem by foes as well as friends, particularly for his understanding of the Constitution. He called over the advantages of banks, then the disadvantages. Chief among the latter was, on authority of the *Wealth of Nations*, banishing the precious metals by substituting paper. In the case of America, Madison did not perceive Smith's countervailing benefit in the import of raw materials and tools of production, but considered that we were too likely to squander our specie abroad on trifling articles.²² He noted other demerits in this country as compared with operations of the Bank of England, and discredited the secretary's plan on additional substantive counts.

But the weight of his objection was different. "Reviewing the Constitution . . . , it was not possible to discover in it the power to incorporate a Bank." This had been his opinion from the first; "he well recollected that a power to grant charters of incorporation had been proposed in the General Convention and rejected." Congress did not enjoy general scope, "out of which particular powers are excepted"; instead, Congress had "particular powers only, leaving the general mass in other hands." He laid down his rules for construing the Constitution. No refuge could be found in the taxing power, for this bill imposed no tax. The "general welfare" could not be sought except through taxes. Nor did the bill borrow money; the excuse that it created a possible lender was forced and untenable. Congress could pass all laws "necessary and proper" to specified authorizations, but this denoted "technical, . . . direct and incidental means," not any means which might conceivably serve. "The doctrine of implication is always a tender one," must not be abused to read into the Constitution what was not put there or intended by its framers. Madison ridiculed the latitude claimed as destructive of the instrument itself.²³

This was an influential statement of the strict or states' rights construction of the Constitution, in which Madison proclaimed his loyalty to the letter, not to the spirit. He trusted in dogma, shrank from development. What he lacked was not sincerity, but a sense of history. Madison's was the more comfortable doctrine of denial—the law was the law. Hamilton's commitment was to arduous exercise of wisdom at every turn in meeting the future. Madison

surrendered to safety. Hamilton had courage to encounter risk. Here, we may say, was the commencement of the American controversy, to be waged by blows as well as by words.

Fisher Ames answered for the friends of the bank. Sensibly, after Madison's rarefied reasoning, he put his reply in familiar terms calculated to relax his hearers. Banks were universally acknowledged to be useful to the private economy as to government. Until Madison discovered constitutional objections to erecting one, Ames had agreed with the public in offering no impediment. Why the cry against implied powers in Congress? All this body had done in two years was by way of reasonable deduction. No ingenuity in framing a fundamental law could provide for all contingencies that might happen. Therefore "Congress may do what is necessary to the end for which the Constitution was adopted, provided it is not repugnant to the natural rights of man, or to those . . . expressly reserved. . . ." Within these limits, "the good of the society" was the guide. The bank, in making payments for and promptly supplying funds to government, essentially served this purpose. The Constitution had displaced the Confederation in order to rescue national affairs. This reform was not to be reasoned away. Congress had the power and duty to create the bank.²⁴

Sedgwick followed with similar calm appeal to common sense. Where it was agreed that a power was delegated, "all the known and usual means for the attainment of the objects expressed are conceded also." The words necessary and proper "did not restrict . . . to enacting such laws only as are indispensable." Congress had applied this interpretation in cases which he recited. Lawrence of New York went further. The Constitution, superseding the incompetency of the Confederation, gave Congress "a full uncontrollable power to regulate the fiscal concerns of this Union," and so "it must possess the power to make every possible arrangement conducive to that great object."²⁵

Jackson of Georgia expressed political foreboding. Hardly a member to the eastward of a certain line opposed the bank; none to the southward was for it. Unless the divisive question was postponed, the cleavage might endure. However, besides this plea in avoidance, he viewed with alarm seizures of powers by Congress that would do away the Constitution.

The issue was being defined, so that by the time Hamilton came to justify the legality of the bank in his opinion required by President Washington he had ample discussion to inform him. Boudinot, in a long speech, served this end. The expediency of the bank, which he demonstrated with care, recommended its congeniality to the Constitution. The government, in a crisis as of war, could not borrow from individuals, from small state banks, from foreigners. It was clear in his remarks how much of the opposition was not to a bank, but to a federal incorporation, which seemed to extend dangerously a jealously limited political authority.²⁶ Corporations in this country were then few, mostly for constructing turnpikes. Boudinot explained patiently the merits of the corporate form of banking enterprise, particularly as ancillary to the Treasury. He took evident pride in defending Hamilton against the charge of Jackson, reading passages from *The Federalist* to show that the author was not inconsistent with the thesis of the present report.

Smith, who had reservations earlier, and who emphasized that he was a Southerner, declared for the bill. Stone of Maryland, however, graved deeper the line separating the manufacturing and debt-holding North, sure to profit from the bank, from the agricultural South which cherished state powers. "When implication first raised its head . . . he started from it as a serpent which was to sting and poison the Constitution." By implication, "Congress may . . . do any thing." He reprobated the "ill-blood in the United States" which this doctrine was nourishing.²⁷

As debate continued, former arguments were repeated by both sides, adding little that was new. However, able pleaders offered generalizations valuable to an understanding of the large issue as then conceived. Thus Giles of Virginia, for opponents, posed "Two modes of administering this Government" while in its infancy; "the one with mildness and moderation, by keeping within the known boundaries of the Constitution, the other, by the creation and operation of fiscal mechanism; the first will ensure us the affections of the people . . . ; the other will arise . . . in oppression and injustice; will increase the previously existing jealousies . . . , and must be ultimately discarded, or bring about a radical change in the nature of our Government." In answer, Gerry of Massachusetts reviewed earlier dangers and frustrations, and asked:

"If these weighty causes produced the Constitution, and it not only gives power for removing them, but also authorizes . . . all laws necessary and proper for carrying these powers into effect, shall we listen to assertions that these words have no meaning, and that this Constitution has no more energy than the old? Shall we thus unnerve the Government, leave the Union, as it was under the Confederation, defenceless. . . ?"²⁸

Madison replied to the principal points urged by friends of the bank bill; he summarized by declaring that their constructions "go to the subversion of every power whatever in the several States. . . ." But he launched on nothing novel, and his remarks had little spirit, as though he expected defeat. Indeed, he mentioned amendments which he wished, virtually acknowledging that the bank would be established practically as proposed. He topped this tacit admission by calling for the question. The House showed such impatience for a decision that Gerry abandoned a rejoinder he had commenced. The vote for the bill was overwhelming, 39 to 20. Every vote against was from Maryland or states below, except for Grout, of Massachusetts, though five Southerners voted with the majority—Seney and Smith of Maryland, Sevier and Steele of North Carolina, and Smith of South Carolina.²⁹

It may be that passage was so ready because of an agreement with Smith of South Carolina to move for a committee to bring in a supplementary bill embodying amendments, which he promptly did next day. This was enacted by both houses about a fortnight later. It gave additional time for subscriptions, which might be made in 3 per cent debt at half the value of the 6 per cent, and requiring that specie subscriptions be paid at first. Though Madison had been vehement against the right of the bank to establish branches, this was not eliminated.³⁰

When the bill to incorporate subscribers to the Bank came before President Washington, the prime question was its constitutionality. He solicited the opinion of the Attorney General, which was adverse; he then turned to the Secretary of State and received the same negative. Wishing to "be fully possessed of the arguments *for and against* the measure" in order to reach his own conclusion, Washington required Hamilton's statement, also in writing, "on the validity and propriety" of the measure. To assist the Secretary of the Treasury in answering objections, the President sent

him the papers of Randolph and Jefferson for his private examination. This was to bring the question to sharpest focus, but Washington doubtless felt, besides, that aid to Hamilton in rebuttal was proper since his was the minority position in the Cabinet and the bank was his proposal. Speed was urged for Hamilton's rejoinder.³¹

This was Wednesday. On Monday, Hamilton replied that he had "been ever since sedulously engaged" in preparing his defense, but it could not be completed before the next evening or early Wednesday morning.³² On the latter date, just a week after receiving the command, he submitted his opinion, "which occupied him the greatest part of last night."³³ A statement of Mrs. Hamilton in her ninety-fifth year concerning her husband and the bank belongs here. It is in a journal entry in Washington, New Year's day, 1853, of Arthur Latham Perry, later professor in Williams College, whose views of national policy sharply differed from Hamilton's: ". . . old Mrs. Hamilton, . . . active in body, clear in mind . . . talks familiarly of Washington, Jefferson and the Fathers. I told her how greatly I was interested . . . on account of her husband's connection with the Government. 'He made your Government,' said she; 'he made your Bank. I sat up all night with him to help him do it. Jefferson thought we ought not to have a Bank, and President Washington thought so. But my husband said, We must have a Bank. I sat up all night, copied out his writing, and the next morning he carried it to President Washington and we had a Bank.'"³⁴

Convinced by Hamilton's reasoning, Washington promptly signed the bill into law, February 25, 1791.

Though he worked under pressure, several circumstances favored Hamilton in his effort to convince the President that the bank was constitutional. The project of a national bank, as an essential instrument in rescuing the credit and furthering the fiscal operations of the government, had been in his thoughts for a decade. Four times he had set forth plans of it, his recent report to Congress being definitive. His principal part in promoting the Bank of New York and his pursuit of a charter for it gave him additional acquaintance. He had followed with anxious care the debates in the House which had elaborately explored legal and substantive aspects of the project. The bill had been passed by Congress, as

ancillary to previously enacted Treasury proposals; indeed, he was able to remind Washington that the supplemental measure for extending the time for receiving subscriptions was on the verge of final passage in the House, removing any doubt that the bank could be organized forthwith. Also, he had before him, in writing, the two weightiest adverse opinions, of the Attorney General and Secretary of State, and he was invited to center his reply upon these. In doing so, he used his superior practical knowledge of the subject to expose flaws of fact in their statements which helped invalidate their reasoning. Jefferson did not have his firsthand familiarity with the creation and adoption of the Constitution, and Hamilton's commitment to a liberal interpretation of the document stood in contrast to Randolph's inhibitions. Lastly, as he told the President, he had the incentive not only of defending his brain child, and the competence of the Treasury, but of providing for the success of the national experiment.

When Hamilton's opinion that the bank was constitutional is compared with that of John Marshall in *McCulloch vs. Maryland*, it is seen that Chief Justice Marshall adopted the secretary's reasoning. Though Marshall wrote a generation later, with much history to confirm his belief, he added nothing new. Perhaps because Marshall's pronouncement was from the judicial bench, while Hamilton's was struck off in white heat, the latter is the more incisive and compelling.

Hamilton immediately attacked the opinions given by his Cabinet colleagues. As he said, both denied the power of the United States to erect corporations. Randolph's paper was the longer, a sufficiently lawyer-like discussion breathing the political caution, "Don't go near the water." Jefferson's negative on the bill was in good part irrelevant. Aside from the tack they took, their statements paled beside the ardor of Hamilton's rejoinder. They were doing their duty as they saw it, but he threw himself into the question with the full force of his mind and heart. His was not only a discerning reply on constitutional points, but a patriotic plea. This was the kind of advocacy—of which his career furnishes many examples—which answers the charge that he was the partisan of privilege, sincere but narrow, or disingenuous and plausible, depending on the critic.

His thesis was "That every power vested in a government is in

its nature *sovereign*, and includes, by *force* of the *term*, a right to employ all the *means* . . . fairly applicable to the attainment of the *ends* of such power, and which are not precluded by restrictions . . . specified in the Constitution, or not immoral, or not contrary to the *essential ends* of political society." The principle "that there are *implied*, as well as *express powers*, and that the *former* are as effectually delegated as the *latter*," was accepted. However, the national government "has only a right to pass such laws as are necessary and proper to accomplish the objects intrusted to it. For no government has a right to do *merely what it pleases*." The federal government being sovereign as to its designated objects, "a power to *incorporate* for purposes *within the sphere* of the *specified powers*" was indisputable.³⁵

The doctrine of implied powers was familiar. It had been embraced by friends and reprobated by foes in the House debates on the bank bill, and it figured in the opinions of Randolph and Jefferson that were before the secretary. Hamilton was not "the first to evoke the argument in favor of the implied powers of the Constitution."³⁶ What he did was to reiterate and make more explicit the definition of implied powers which was at once safe and liberal in our federal system—which protected the states in their jurisdiction and gave necessary freedom to the central authority. Sedgwick had accurately put the meaning of "powers by construction and implication" in the House less than three weeks before: "It is universally agreed that wherever a power is delegated for express purposes, all the known and usual means for the attainment of the objects expressed are conceded also."³⁷ Hamilton, like his champions, accorded to Congress liberty within limits. By the same token, like them, he exploded the inference that Congress, by implication, could do whatever it chose.³⁸

Hamilton conceded what his opponents maintained, that authority to erect a corporation was not included in the enumerated powers of Congress. It was conferred by implication of the right of Congress "to make all laws necessary and proper for carrying into execution the foregoing powers vested by the Constitution in the Government of the United States, or in any department or officer thereof." He rejected the meaning given by Jefferson, and before him by anti-Federalists in the House, to the word "necessary," confining it "as if . . . *absolutely* or *indispensably* had been

prefixed to it." Actually, said Hamilton, "*necessary* often means no more than *needful, requisite, incidental, useful, or conducive to.*" What was promotive of the discharge of a deputed power was a matter of judgment, but expediency, depending on circumstances, did not alter the invariable constitutional right. Since all necessary and proper means could not be comprehended beforehand, "the powers contained in a constitution of government, especially those which concern the general administration of the affairs of a country, its finances, trade, defence, etc., ought to be construed liberally in advancement of the public good."³⁹

The secretary then refuted a variety of particular arguments advanced by his Cabinet opponents. They must have winced under his scrutiny. For our purposes he chiefly damaged Jefferson by demolishing the presumption that the central government could do no act which amounted to an alteration of a state law. Hamilton cited instances to the contrary, foresaw many more cases, and declared that while Congress might in effect negate a state law, the federal statute was not for that reason unconstitutional. The accuracy of this has been so consistently exemplified in our history that one is at a loss to explain Jefferson's error. The secretary's thrust at the attorney general was different. Randolph had foolishly attempted a comprehensive listing of what was permissive to Congress under its several delegated powers, with the conclusion that as creating a corporation was not among them, it was forbidden. Here Hamilton was on his home ground, especially as to actions incident to fiscal duties and regulation of commerce. He had no difficulty in impressively extending Randolph's enumeration, thus destroying its effect.⁴⁰

Earlier, Hamilton had noticed that his opponents were mistaken in regarding an incorporation "as some *great independent substantive thing*; as a political end of peculiar magnitude and moment." Instead, it was only a means to an end.⁴¹ He then proceeded to show how a public bank contributed immediately to collection of taxes, to borrowing, and to regulating trade between the states, and also, though less directly, to providing armies and fleets. Here he was in part repeating what he had said in his original report. His practical knowledge of Treasury needs and processes rendered his exposition convincing. For collecting taxes and for swift borrowing, a bank was so essential that if none existed it must be created.

An incorporated bank was a means of commanding resources otherwise only latent. It may be commented that this illustrated the secret of Hamilton's success in the Treasury—how, by central political action, to make available economic capacities woefully diffused.

Since money is "the very hinge on which commerce turns," promoting a convenient medium of exchange assisted regulation of interstate trade. He discredited Jefferson's objection that overseeing commerce was limited to prescribing rules for buying and selling. This was a detail for local control. The general government had the superior mandate of encouraging enterprise of merchants and advancing navigation and manufactures. To this a bank, furnishing circulation, was properly ancillary.

The service of a bank to defense was manifest "at this very moment" when an expedition against the Indians was to be financed instant and taxes would not begin to be collected for four months. Fortunately, the government in this instance was able to call on existing institutions.

All along it had been argued by opponents that provision for the general welfare was confined to taxing and that the bill for the bank laid no tax. Hamilton refuted this as voiced by Jefferson by pointing out that the bank did entail taxes, evidently for repayment of loans extended to the Treasury. He concluded that "an aggregate view of the Constitution" must be held to "speak strongly this language: that it is the manifest design and scope of the Constitution to vest in Congress all the powers requisite to the effectual administration of the finances of the United States. As far as concerns this object, there appears to be no parsimony of power."⁴²

Here, then, painstakingly buttressed, was Hamilton's claim for liberal interpretation of the fundamental law. His plea sprang partly from foresight that government would be confronted by unexpected demands, in infinite variety, defying specification in advance. He was taught immediately by the problems of the Treasury, in this case the need for a competent bank as an instrument. His career had been at the center of action—at military headquarters, in the old Congress, in the national administration. He had abundant reason to know realities, as against ideal parchment systems. He relied on the practice of other countries; he concluded that his own could not prosper unless it possessed such

tested resources. His desire was positive for a mighty future for America. He well knew that decisions impended in reconciling policy with principle. In this conflict the guide of statesmen must be discretion, conscientious, not capricious.

Though opposition to the bank project had been vehement, once it was authorized the stock was immediately oversubscribed, July 4, 1791. Hamilton was sorry precaution had not been taken in the law to ensure wider distribution of shares, but that was because it had not "been foreseen, any where, that so rapid a subscription would take place."⁴³ Jefferson informed Monroe, "the bank filled & overflowed in the moment it was opened"; many who did not suspect "that so much haste was necessary" were disappointed.⁴⁴

The bank, completing the funding system, was itself of service to the country in all the ways Hamilton had foreseen—supplier of credit, regulator of the currency, auxiliary of the Treasury.⁴⁵ Enough opposition to the institution remained, however, to defeat its recharter in 1811 by a single vote, that of Vice President George Clinton in the Senate. Then the War of 1812–14, with proliferation of irresponsible state banks, reminded forcibly of the utility that had been forfeited, and the second Bank of the United States, 1816, with approval of former enemies, was an enlargement of the model. With unhappy suspension in the quarter-century before the Civil War, the principle of central-governmental oversight was revived in the National Banking System, which was later improved in the Federal Reserve. These perpetuations, in different forms, of Hamilton's recommendation were sponsored without respect to changes in political party.

But more influential than the bank Hamilton created was the constitutional doctrine he brought to its defense. The principle of implied powers preserved the fundamental law by sanctioning its interpretation to meet needs that could not be guessed in the beginning. Without this acceptance of elasticity of the document, the Constitution would have had to be copiously amended until it became in effect a confusion of statutes. Hamilton was chief of those who gave the Constitution adaptability. The inspiration, like so much else that sprang from him, was English. He made way for growth—prudent, but unceasing.

The debate on Hamilton's first report on public credit may be called the beginning of political parties in the United States. In

the Constitutional Convention divisions had appeared—between representatives of small and of large states, of slave and free-labor sections and, incipiently, between those who feared and those who favored power in the central government. These differences became sharper in certain of the ratifying conventions, notably in the close contests in Massachusetts, New York, and Virginia, where issues were blended in preference for local or national authority. But the Constitution, though a bundle of compromises (including the first ten amendments) was gratefully approved. While two states remained temporarily outside the Union, the new “revolution,” as the supplanting of the Confederation was frankly named, was accomplished, and men of all minds set their faces hopefully toward the future of America.

Our forefathers who made the Constitution and organized the national government, with George Washington as the emblem of unity, had been taught by earlier confusion, distraction, and weakness to value strength and harmony. In the “exigency,” as they were fond of terming that critical, formative period, they wanted to close ranks. Though complete “consolidation” was suspect in some quarters, nothing was commoner than to deplore intrusion of “faction” (read political party). This demand for agreement was natural when an arduous experiment was to be tried.⁴⁶

This solicitude continued for a number of years, but unanimity, or something like it, enjoyed only a brief hour. Hamilton’s report, presenting the practicalities of policy, split Congress and, more slowly, sentiment in the country. The issue of discrimination between original creditors and assignees of the debt announced the first conflict. We do not have yeas and nays in the final vote on it, but we may judge tolerably by preliminary ballots, views of speakers, and otherwise. Alignment for and against was personal rather than on any other basis, though if geography be consulted, the South generally was for first holders, the North for last holders; the South was more distant from the seat of government, more rural, and probably contained more soldiers and others who had alienated.

The question of assumption of the war debts of the states by the United States was longer and even more ardently contested. Those disappointed in their efforts for a discrimination carried their fight into this second phase of the debate. But, more im-

portantly, assumption frankly posed the rival claims of the nation, on the one hand, and of the individual states, on the other, to economic and political dominance. This, at bottom, was what bred party opposition then and, through many variations, thereafter. If we disregard the final shift of votes (in accordance with the agreement of Hamilton and Jefferson to carry both assumption and placement of the permanent capital on the Potomac), the division was principally geographic, the states from Pennsylvania northward for assumption, those to the south opposed.

Party animus became shriller, and alignment of loyalties more fixed, as new divisions came on in rapid succession—the Bank of the United States, the attitude of this government toward the war pretensions of Britain and France, suppression of the Whisky Insurrection, and the Jay treaty. But these differences, augmented and exacerbated, had their origin in the disputes over Hamilton's first great Treasury report. The expectation that political strife need not arise was naïve; the hope for harmony was as mistaken as it was illusory. America had the resources at home, and the geographic detachment from menaces abroad to ensure national development. Political dissension, while alarming to nervous patrons of our national progress—Hamilton chief among them—was inevitable and salutary. Hamilton was so bent upon efficiency and safety that he could not but repulse what he branded as “disorganizing” actions, and Washington and more shared his anxiety. The near collapse of the Confederation and the final liquidation of the war were to blame for their tense state, made worse by the mortal combat raging in Europe. His hopes and fears all alive, Hamilton could not relax, be patient or philosophic. Wrought to a pitch of purpose, he could sink into despair, but this mood never became reassuring reflection. His optimism and energy soon roused him to fresh efforts, to be followed betimes by another lapse into fatigue of spirit. It is getting ahead of our story to point out, with the wisdom of hindsight, that the correction which he bitterly resented really promoted the permanent advancement which lay so near his heart and for which he exhausted himself. The space of a decade, by the end of which opponents were able to replace his Federalists in power, was to prove it, and he acknowledged the fact. Without Republican counterblasts, often disingenuous as they were, Federalists would have pushed their program,

and the principle of democracy would have been neglected or over-ridden. This is the familiar fatality of crisis governments, from which America, and incidentally the reputation of Alexander Hamilton, was happily saved. We shall see that the exit of his party, so closely timed to his own death, yet found him capturing a wisdom which he had all but forfeited. He went out, as he came in, not only a patriot, but a statesman.

A recent writer has complained that "the standard works on Hamilton evade the main issues which his career raises; and his rightful place in our history, once these issues are raised, becomes a subject of controversy." Particularly he queries "whether . . . the measures of his economic program . . . were intended to further or subvert the type of government which most well-informed men thought they were supporting when they voted to accept the Constitution."⁴⁷ The comment on Hamilton's biographers disparages a deal of studious and candid portrayal. But that aside, where is the mystery? Hamilton's proposals presented to Congress, most conspicuously those of 1790-1791, were necessarily both political and fiscal, for the enactments he recommended would determine the character, because the condition, of the nation at the outset. It is difficult to know what most well informed men thought they were supporting in the Constitution, but on the face of it they wanted a replacement for the Confederation with its lack of cohesion and incapacity to command ways and means to conduct a government. The first session of Congress, except for an emergency import measure, virtually turned to the Secretary of the Treasury for instruments to make the Constitution a reality.

Inevitably, in debating these practical policies was where strenuous differences developed. It had been hard to agree on general principles, but specific institutions, embodied in statutes, sharpened cleavages. This was especially true since those Hamilton urged touched the pocket nerve which carried divers messages to the brain. Hamilton was sure that national honor, strength, prosperity, and future development all hung upon establishment of public credit. In funding the domestic debt, which was the central construction, Hamilton could not compromise beyond familiar fiscal expedients, chiefly lowering of the interest rate in return for provisions for stability. But on the main issue, which troubles the author quoted

above, he must be absolute or his whole building was a house of cards. The debt must be paid to whomever presented the evidences of it. There could be no discrimination. He did not throw down the gauntlet in a provocative way. He did all in his power to convince Congress and the people that this was the part of wisdom as well as of integrity, or was expedient because right. Consolidation of the state debts with the Continental he plainly wished, though this was left in the realm of the legislators' choice. Where the national domestic debt was concerned he told them, as their responsible minister, they must cut bait or fish.

One is mistaken to suppose that Hamilton's principle was disingenuous pandering to a few shrewd, selfish speculators, or that the dictates of democracy were synonymous with discrimination. If the secretary had all but a ready-made majority in Congress,⁴⁸ why must he lay himself out to explain the rationale of his recommendation? That is an uninformed view of Hamilton which contends he seized in the present. On the contrary, he habitually looked ahead, planned for the decades. Without unquestionable convertibility, the future promised crippled credit, public and private, and a national authority damaged in reputation, and ineffectual. Hamilton reminded, and his supporters also, that he did not make the debt. His problem was to devise means of dealing with an inherited reproach. Nor was the issue of validating or violating the national promise created by him for mean party purpose, or, worse, as a plausible robbery. Rather he proclaimed the issue that was already in everybody's mind, declared his reasoned position, and it prevailed. Here is no mystery.



Pro Vita Sua

BESIDES the reports themselves, Hamilton prepared two formal defenses of the funding system. The first and shorter was in 1791, when public understanding of his measures would assist his administration of the Treasury.¹ The second and more elaborate justification was in 1795 after he had left office but did not wish to close that chapter without a full exposition of his motives and their utility.² The later treatment is retrospective rather than polemical because the scene was several years behind him and he had no further responsibility for the country's finances. The longer essay is unfinished, doubtless because of demands of his law practice, which he was reentering.³ The subsequent explanation in part echoes the earlier argument, and contains passages closely corresponding to some in his final report on the public credit which must have been penned only a few weeks before.⁴

Both the "Vindication" and the "Defence" of the funding system (if we use those titles) are remarkable for lucid statement of intricate matters, especially where mere shades of difference were to be distinguished. The main emphasis is not fiscal or economic in the narrow sense, but is on the morality of respecting and discharging national monetary obligations. This was the foundation of Hamilton's whole policy in the Treasury. He found no instance in which fidelity to promise did not coincide with financial and political benefits. The whole of his system was bottomed on national honor. No matter how complex the particular operations, all ran back to the wisdom of obedience to commitments. Holding

fast to this axiom, he was able—where others were not—to separate the plausible from the true course of conduct. Because of this conviction, buttressed by much knowledge and experience, he displayed a mastery which contrasts with the uninformed confusion, not to say the disingenuous pleas, of opponents.

The first paper is retaliatory, which was natural in an embattled minister in the midst of vehement controversy. The second and calmer appraisal, while refuting contrary views, charitably and accurately ascribes them in good part to “an immaturity of ideas on the subject of public credit.”⁵

His defense declares prominently, without egotism, what went on in his mind when he formed the funding system and decided on its principal and collateral features. Thus we have, what is not always afforded in his proposals, a window to his inner thoughts. His choices, on technical grounds, were conditioned by willingness to compromise within limits which did not forfeit principle. He was described at the time, and has often been considered since, as too apt to hew to the line of his own demands, refusing to recognize in “a heterogeneous mass of opinions” that he must make concessions to “different interests and passions.”⁶ “It was proper for him [who was to devise . . . a provision for the public debt] to endeavor to unite two ingredients . . . : intrinsic goodness and a reasonable probability of success. It may be thought that the first was his only concern, that he ought to have devised such a plan as appeared to him absolutely the best, leaving its adoption or rejection to . . . those whose province it was to decide. But would not this have been to refine too much? . . . In pursuing too far the idea of absolute perfection . . . unaccommodated to circumstances, the chance of an absolutely bad issue was infinitely enhanced. . . . Was this the course either of patriotism or true personal policy?”⁷

We do not need to go to Beard’s analysis of motives that made the Constitution.⁸ Hamilton in a couple of paragraphs offered an account less extreme and surely trustworthy. “The public creditors,” he said, “who consisted of various descriptions of men, a large proportion . . . very meritorious and . . . influential, . . . had a considerable agency in promoting the adoption of the new Constitution, for this peculiar reason, among the many weighty reasons which were common to them as citizens and proprietors,

that it exhibited the prospect of a government able to do justice to their claims. . . .

"There was another class of men, and a very weighty one, who . . . had great share in the establishment of the Constitution, who, though not personally interested in the debt, considered the maxims of public credit as of the essence of good government . . . and as forming an inseparable portion of the great system of public order."⁹

Had he insisted on absolute—but politically impracticable—justice, Hamilton would have strengthened assailants, friends would have been disgusted, and the two together would have wrecked the prospect of stable government. This was the last result he wanted.

With enthusiasm and eloquence he pictured the necessity, in a young country of inestimable potential resources, but of little currency and less capital, for credit public and private. Credit would proliferate the arts of peace, provide for the exigencies of war, moderate the burden of taxes. "Credit may be called a new power in the mechanism of national affairs." The rule of regulating it was to make "contemporary provision for the extinguishment of principal as well as for the payment of interest in the act of contracting new debt. . . ."¹⁰ Hamilton's whole prescription for his country may be put in one word—credit—solicitously nourished, wisely used.

His second defense of the funding system attended especially to assumption of the state debts, which was an inescapable component of his scheme for restoring the public credit and launching the government on a prosperous career. First explaining the facts of these debts, he refuted the many arguments against embracing them in the national mass of obligations which were the price of independence. He agreed that the state debts, like that of Congress, contained "alloy"—arising from ineptitude, infidelity, and pressures of wartime. On the whole, however, the state debts were meritoriously incurred. They were grossly unequal, not from fault. Hamilton did not name Gallatin, but demolished his thesis that settlement with and between the states should precede assumption. From the anarchy, and often absence, of accounts, settlement must be in great part arbitrary, and would never be concluded unless comprehensive assumption forthwith expedited

the process. Hamilton's foresight was penetrating enough. But in his treatment of assumption five years later he displayed aspects and applied reasoning the fuller for wisdom after the event. It is too complex to summarize, but to read it is to stir admiration of Hamilton's intellectual reach.¹¹

Congress had assumed the state debts, interest on which would commence with the year 1792, but had not adopted the revenue means proposed by the Secretary of the Treasury for this purpose in his original report in January or a supplemental one of March 4, 1790.¹² At the end of the second session (August 9) the House called for further recommendations for supporting the public credit—principally paying interest on the state debts—and Hamilton responded, December 13, with renewal of his taxes on spirits. The sum to be raised annually for interest on \$21,500,000 of state debts assumed was \$788,333.33. Funds already established for interest on the original debt left a deficiency of \$38,291.40, so the amount for both purposes was \$826,624.73.

Hamilton's "reiterated reflections" persuaded him that a further duty on foreign spirits, and a duty on spirits distilled in this country were most eligible for the needed revenue. He again urged these objects, "in the same form in which they were before submitted," in the belief that they had been rejected not from want of merit, but from "collateral considerations." (Among these were that assumption itself had not been adopted and the amount required was uncertain and lay in the future.) He now repeated the rates he had suggested in January—on imported distilled spirits from 20 to 40 cents per gallon depending on the proof in six classes; on spirits distilled in this country from foreign materials, from 11 to 30 cents per gallon. Taxes on the product of our own stills from our own materials were less than the above, and were distinguished according to the place of manufacture. If the still was in a city, town, or village, the rates were from 9 to 25 cents. If elsewhere (that is, on a farm) the rate should be 60 cents per gallon, annually, of the capacity of the still. However, small farm stills used for their proprietors' domestic purposes, were to be exempt. He calculated that these taxes would yield about \$50,000 in excess of the sum sought, which, if realized, could be applied to the sinking fund.¹³

It was not necessary to rehearse the reasons for deriving revenue

from spirits, which were luxuries consumed to an extent that damaged the morals and economy of the country. Rather he wished now to submit what appeared to be a convenient mode of collection. He condemned reliance on the honesty of those expected to pay, for experience in the states had shown this invited fraud, inequality, and small yield. Men did not sufficiently respect their obligations to government. Instead, security of the revenue must "depend chiefly on the *vigilance of the public officers.*" Unless collection was thus effective, responsible citizens would be penalized in favor of perjurers, and the community at large must make up the shortage in government income. The habit of violating oaths would demoralize the civil body.

His plan avoided the stock objections to an excise, since the officers were shorn of summary jurisdiction (the common law and trial by jury were preserved), and they might not visit and search indiscriminately, but could enter only those places publicly marked by their owners as containing articles to be taxed.¹⁴ He stressed these protections, for he could hear the familiar cries that revenue officers were arbitrary and prying. The plan he proposed (his bill which with minor changes became the law) was in this case far more than a mere casting of the report into statute form. It spelled out meticulously the precautions, in favor of importers, distillers, and dealers, as well as of the revenue, which he promised.¹⁵

Nor should land taxes be preferred as cheaper in the collection than excises, for periodic reappraisals made realty levies superior in cost. Further, he exploded the notion that all taxes on consumption fell finally on land. The fact was that excises relieved land by compelling capital and industry to bear their share of public burdens. As on other occasions, he dwelt on the reasons for abstaining from taxes on land and houses. Such should be reserved for a national emergency, like defense. This policy would promote peace, for foreigners would be slow to attack when they saw our ultimate resource untouched by demands of our national debt. Hamilton was moved, moreover, by his acute realization that direct taxes, which could not be shifted by the payers, should be forborne until the people possessed more political discipline, were more loyal to the federal government.

Hamilton anticipated the jealous proposal that the additional sum be procured not by an internal excise but by increasing duties

on the mass of imported articles. In view of the higher rates soon to go into effect, the merchants could not be asked to do more without injustice to them and positive diminution of the revenue. External commerce must not be expected to carry the whole debt. Though import duties were in general passed on to consumers, the mercantile capital of the country was not everywhere equal to advancing moneys later, hopefully, to be recaptured. Further, different resources should be tapped, for foreign trade might decline. Between the lines we read Hamilton's certainty that interior districts, where currency and credit were scarcer than in port cities, were all too ready to demand that shipping and commerce be the constant recourse of the Treasury. Were not the seaboard merchants also the speculators in the funds? The ensuing debate was to prove that the secretary was not deceived in forestalling this argument.

So much for extra taxes necessary to buttress the public credit. Besides, a national bank was "an indispensable engine in the administration of the finances." This institution warranted a separate report, submitted the following day, December 14, 1790.¹⁶

It was a principle with Hamilton to approve a land tax only as a last resort, to procure funds desperately required to repel invasion. Seeking other sources of revenue, and not wanting to overburden importers who paid nine-tenths of the federal taxes, the excise commended itself. It was an internal tax offsetting duties on foreign spirits. It was imposed on a luxury, and a harmful one at that.¹⁷

For his pains Hamilton was blamed, by some who resented the excise, for hurting the very farmers he was seeking to assist by avoiding a land tax. They charged that Hamilton shielded "Men of fortune [who] have engrossed immense tracts of land" in expectation of its rise in value. He permitted them to shift their proper load to the poor farmer who "is not even privileged to convert his grain to such uses as he thinks most advantageous, but on . . . terms of paying a tax. . . ."¹⁸

The excise measure—Hamilton drew the bill as well as the report—fared better in Congress than the Treasury proposals which went before or the national bank which followed. The taxes now seeking approval were to provide interest on the state debts already assumed, so the only question was how to comply with a promise.

Numerous spokesmen had earlier declared their attachment to an excise as a resource of the states, which they did not want to forfeit to the federal authority; thus they had already yielded the principle of this type of revenue. Further, Madison, who had led the fight on funding and assumption, gave the excise on ardent spirits his assent and voted for the bill. Giles of Virginia, who was to become the most vocal of Hamilton's legislative foes, never spoke against the excise, though in the end he chose to vote against it.¹⁹ The proposition was debated in the House, with interruptions, for three weeks (January 5–27, 1791),²⁰ but the issue was never in doubt. The Federalist majority was completing a commitment, and removed successive obstacles as promptly as they were put forward.

The bill was referred to committee of the whole with a prayer of the College of Physicians of Philadelphia that "heavy duties may be laid on distilled spirits . . . to restrain their intemperate use."²¹ But Jackson of Georgia was as ready with a motion striking out the enacting clause. The physicians were meddlesome. Jedidiah Morse, a Northern clergyman, had declared "grog is a necessary . . . drink in the Southern States." Nor had the people in that quarter equal opportunity to escape the tax, for they had no breweries or orchards. He fired a broadside against the funding system, "and an excise . . . as an auxiliary to it . . . was odious, unequal, unpopular, and oppressive. . . ." If we imitated the bad example of Britain, "the time will come when a shirt shall not be washed without an excise." Wait and see whether the duties already laid did not furnish a sufficient surplus.²²

Parker of Virginia seconded with detestation of "the mode of collecting the tax," which would "convulse the Government; . . . let loose a swarm of harpies, who . . . will range through the country, prying into every man's house and affairs, and like a Macedonian phalanx, bear down all before them." Stone of Maryland tried delay; the discussion should be adjourned while a select committee determined whether further revenue was necessary. FitzSimmons reminded that the Treasury had already affirmed this, whereat the motion for the committee to rise was lost and Jackson's for striking out the opening clause was overwhelmingly rejected. Parker was persistent, and when the rates on imported spirits were reached, moved to strike them and substitute a single

duty on molasses, but this blow at the rum distillers, principally of New England, got no following even among his fellow Southerners.

Madison hushed this clatter. Additional revenue was required. He would prefer to raise it by direct taxes, but a majority in the country and in the House opposed that mode. Only the excise remained, and this bill divested it of the most exceptionable features.²³

Thus reproved, Jackson summoned his conscience to defend the liberties of the people. He had been voted down by a silent majority; opponents lacked answers to his arguments against a "most ruinous . . . system of taxation." This brought Federalists to their feet. Lawrence of New York and Sherman of Connecticut had not replied because not impressed by Jackson's sallies. The Union had assumed a debt, must find revenue to pay it; direct taxes were not acceptable, while those in view must bear equally on the rich (consuming dutied foreign liquors) and on the poor (content with the product of domestic stills). The people, said Livermore of New Hampshire, would approve this type of tax "as drinking down the national debt." Sedgwick of Massachusetts and Smith of South Carolina defended the liquor levy as the best recourse. They were joined by Giles of Virginia, heartily for the measure, who repudiated threats of others that Southern states would prove recalcitrant.²⁴

Opponents had contended that existing import duties were yielding a surplus sufficient to care for interest on the state debts.²⁵ This was denied by supporters, who urged however, that any surplus of revenue could be applied to diminish the debt.²⁶ Hamilton submitted an estimate that expenditures of the government in the year 1791 would amount to \$740,232. This included no interest on the state debts assumed, which would not accrue until 1792.²⁷ The following day, January 7, came his statement that import duties, October 1, 1789, to September 30, 1790, totaled to the net amount of \$1,903,709.²⁸ Parker secured a postponement of further debate while these reports were studied and until Hamilton could offer an estimate on the controverted question of the probable proceeds of the impost for the year 1791, recently requested.²⁹ However, discussion was resumed without waiting for further official information. Jackson made a stand against the tax on spirits distilled from domestic materials, claiming he supported

American manufactures. He read his own estimate to show that revenue from this source was not needed. Wadsworth of Connecticut, with better pretensions to knowledge of the probable course of foreign trade, was as sure that tonnage and import duties would decline for reasons he gave, and that expenditures, especially for the expedition against the western Indians, must increase. Ames of Massachusetts offered the sagest comment, that casual surpluses, if they occurred, or annual appropriations to make up deficiencies, could not be relied upon to sustain the public credit. The government stood pledged "to provide permanent funds for . . . payment of the interest of the debt." When the whole bill had been reported to the House, Jackson's motion to strike out taxes on stills using our own materials was negatived by more than two to one, both Giles and Madison in favor of keeping the excise.³⁰ A barrage of amendments and motions to recommit the bill was voted down.³¹

By now Giles had begun to align himself with Southern colleagues. He supported a motion to limit the duration of the bill, as the House should not surrender its powers of appropriation, "arm the Executive with the golden nerve of the United States," nor "consent that the funding system should be superior to the Constitution. . . ." The motion was lost, the bill was readily ordered to a third reading, and was passed, 35 to 21.³² After conferences on disagreeing amendments the Senate approved the bill, which became law March 3, 1791.³³

This completed the funding system after fourteen months of the most strenuous advocacy in Hamilton's career. He had previously helped powerfully in the inception and adoption of the Constitution, and afterward he strove successfully to render the country prosperous and keep it at peace. National solvency was a chief aim of his earlier endeavors, and was the foundation of his later services. In all he worked in collaboration with patriotic colleagues, whose devotion to mutual purposes may never be forgotten. In the funding system Hamilton was preeminently the creator and conservator. Establishment of the national credit, the condition of material and political progress, remains his monument. His fiscal competence was subordinate only to his courage and resolve. It is these last which lift him from the surprising into the splendid. His achievement, as with all heroes, was moral.

Too often, in recounting America's story, others deserving the title have been called idealists, while Hamilton has been cast in the supporting role of practical provider. This is honorable but less than the fact. His medium was very often the formidable, forbidding one of figures, the distasteful business of taxes, the inscrutable inventions for lowering the rate of interest. But beyond the palpable means was always the cherished end, in which the man truly lived and had his being.

Hamilton's report on the establishment of a mint, submitted to the House January 28, 1791,³⁴ was regarded at the time as the least controversial of his plans. However, unsuspected by anyone at the time, the bimetallic standard which it provided (Locke had warned as much) concealed a liability which, more than eighty years later, was to precipitate a generation of currency debate. This was the fight over the silver standard, which bespoke deep divisions that had developed in the American economy and polity.

The report, which had been ordered nine months before,³⁵ caused Hamilton disproportionate vexation in the preparation because of confusing detail. This pertained to the differing valuations set upon the same foreign coins in several American states and the varying ratios of gold and silver in European markets and mints. Hamilton's manuscripts contain the better part of two drafts of the report,³⁶ a fragment heavily revised,³⁷ and work sheets of notations and calculations with a rough table of "Proportions in Europe" of gold and silver in the standard coins.³⁸ While guides for his conclusions were the resolutions of the Continental Congress of July 6, 1785,³⁹ and August 8, 1786,⁴⁰ he studied numerous European works on coinage and exchange, dating back to 1727.⁴¹

In all his reports Hamilton showed a proper deference to the wishes and wisdom of Congress. Only in that on a mint, or rules for governing the coinage, did he confess diffidence. With no coins of our own, and confusion of standards in nations with which we principally traded, a judicious choice was difficult. Yet a correct decision was important for preserving property values fixed in past contracts. Further, though a change in bullion content of the coins might leave prices stationary, monetary claims might be depreciated unjustly. This perplexing situation was his excuse for errors, "for . . . deviations from sounder principles

. . . suggested by others," or from previous determination of our government.⁴²

Especially anxious to have Jefferson know what he was proposing, Hamilton sent his Cabinet colleague a copy of the mint report in advance of submitting it to Congress. This was because the report rejected a recommendation of Jefferson to which Hamilton had before agreed in principle, namely, that the weight of the dollar should correspond with the unit of weight, though this necessitated a small addition of precious metal to the dollar.⁴³ But when he came to examine the matter closely, Hamilton proposed a silver dollar lighter in bullion by $4\frac{1}{2}$ grains than that approved by Congress in 1786. By Jefferson's plan, 5 grains of silver must be added to the dollar Hamilton recommended. This was more than was admissible. It would increase the value of the silver dollar, and the Spanish dollars in circulation, which corresponded closely with the statutory dollar Hamilton was urging, would not be received as substitutes for the more valuable piece. If Jefferson's object of uniformity in the unit of weights, measures, and coins was sought by increasing the alloy in the silver coins, then their conformity with the gold coins, in degree of fineness, would be lost.⁴⁴ Doubtless willing to spare Jefferson's feelings, Hamilton forbore to remark that a dollar heavier in silver would increase by that much all payments on existing debts.

At this early stage of their Cabinet association, Hamilton and Jefferson were on excellent terms. Jefferson had recently sent him a report of the National Assembly of France describing *billion*, a mixture of one part silver and four parts copper, which "the better judgment of the Secretary of the Treasury" might consider a good composition for the cent in our coinage. Jefferson offered the suggestion "as an advance towards unreserved communications for reciprocal benefits."⁴⁵ Similarly he read Hamilton's mint report "with great satisfaction," and concurred in the cardinal point of it.⁴⁶

Resolutions of the old Congress, never carried into operation, had established the dollar as the money unit and adopted a decimal system in the coins. These features were apparently taken from notes by Jefferson on a mint and coinage.⁴⁷ However, doubt remained whether the standard was silver (375 64/100 grains in the

dollar) or gold (246.268 grains in the eagle equal to \$10, or 24.626 in the gold dollar, though the latter coin was not provided). The preference, legislative and popular, seemed to have been for the silver standard. Hamilton believed that if one metal had superior claims, it was gold, as less liable to variations of value. However, a single monetary standard would reduce the other metal to "a mere merchandise; . . . abridge the quantity of circulating medium" and forfeit "the benefits of a full, [compared] with the evils of a scanty circulation."⁴⁸ Abundant money, as a tonic to the American economy, was always a favorite object of Hamilton. Therefore he recommended the bimetallic standard and sought to discover "the proportion which ought to subsist between [the metals] in the coins. . . ." He well knew the ill effects of overvaluing either at the mint. One was that the country would be paid in the metal to which it assigned an artificial value, and thus would suffer a reduction of monetary wealth, not only relative but absolute. But, as often elsewhere, he paused to notice that "there are always some local and many other particular circumstances, which . . . vary the operation of general principles. . . ." For example, the United States formerly overvalued gold, but escaped a lack of silver because quantities of the latter flowed in from South America via our trade with the West Indies.⁴⁹

This is only an incidental illustration of Hamilton's awareness of the peculiar situation of America which set him in contrast to the more dogmatic European reasoners. The writers of the French and English classical school of economists were trumpeting a new doctrine—*laissez faire* against mercantilism. They gave systematic form to a theory. Hamilton, on the other hand, was statesman first and philosopher second. He had responsibility, which most of the Europeans did not have, of devising operational policy of government. With him, principle must justify itself in practice, must prove workable in immediate statutes. Quesnay, Adam Smith, Ricardo, Say, and Senior witnessed the death of a commercial age; Hamilton attended at the birth of a nation and a continent. Hamilton's America at the end of the eighteenth century corresponded to the economic stage of England and France at, say, the beginning of the sixteenth century. Hamilton saw in old countries the accomplishments, actual and potential, of private capitalism, but knew that this progress, in his undeveloped quarter,

would be speeded by public inducement and protection. Hence he often employed methods which European masters berated as mercantilist, outworn and restrictive. Hamilton urged a mixed economy, of public and private resources and incentives, to which, in the evolution of more than a century, America has in fact returned. Hamilton's contribution to economic thought was given concrete shape in the successful advocacies of his apostles, such as the Careys and List, a few years later. It transcended local American application, for the lesson was that circumstances alter cases, economic truth is relative to time and place, and principle is modified in policy. The Historical School spelled this out, so it is now a permanent feature of scholarly economic lore. When it is acknowledged that political economy is less a science than an art, is not sacred but selective, then the impetus imparted by Hamilton will be celebrated.

To return to the mint report, Hamilton favored a legal ratio of gold and silver corresponding to their relative value in the market. After a sufficient survey he settled upon 15 parts of silver as equal to 1 part of gold; if this governed our mint, we would be in harmony with Britain and Holland with which were our principal commercial and financial relations. It soon developed that this ratio slightly overvalued silver, and it was principally that metal which came to the mint. A generation after Hamilton's death gold became more plentiful, consequently cheaper relative to silver, and the artificial value set on gold by the mint banished silver, even when the ratio was changed to 15.98 to 1. In 1873, in tidying the currency, the silver dollar was dropped from the coinage. Nobody objected at the time, but promptly, by a concatenation of events, silver drastically fell in the market. Coinciding with depression, desire of debtors for cheap money produced agitation for resumption of coinage of the silver dollar at 16 to 1. This wrote a chapter in our economic history. Though Hamilton had planned a double standard, in fact we had a single standard—whichever metal was overvalued at the mint for the time being.

Following full discussion which must have been readier of comprehension to merchants than to the run of legislators, the secretary concluded that gold and silver coins, to reduce wear, should contain 1 part alloy to 11 parts of the pure metal. The face

value of the coins should be the same as their bullion value, but, as an experiment, a small charge of $\frac{1}{2}$ of 1 per cent of the value of each metal should be made by the mint to cover the supposed cost of coinage. The dollar should contain 24 and $\frac{3}{4}$ grains of pure gold or 371 $\frac{1}{4}$ grains of pure silver (27 grains of standard gold or 405 grains of standard silver).⁵⁰ He recommended the same coins, on the decimal system, as had been decreed by the old Congress except that he substituted for the gold five-dollar piece a gold dollar ("to have a sensible object in that metal, as well as in silver, to express the unit"). In commending the half-cent he mixed comfort of the poor with mercantilist motive. With such a coin they could buy and so "labor for less; the advantages of which need no comment." Reminiscent of his recommendation to Robert Morris a decade earlier, he noticed that "Numerous and small . . . subdivisions assist circulation." He was careful not to reduce the currency by summary prohibition of foreign coins; all should continue in use for a year after the mint commenced operations, and specified ones, including the Spanish silver dollar, might be permitted longer. He outlined the organization of the mint, modest in staff and expense. He did not forget that suitable emblematic devices of the coins would convey "useful impressions."⁵¹

The Senate bill was generally in accord with Hamilton's plan, except that the gold dollar was omitted and alloy in the silver pieces was made one-ninth instead of one-twelfth.⁵² In the House two (Page of Virginia and Williamson of North Carolina) insisted that Republican principles were offended if the head of the President appeared on the coins. It would wound the feelings of our friends in the world (presumably the French) "as a stamp of Royalty," and "gratify our enemies" (doubtless the British). A figure "Emblematic of Liberty" was more appropriate. Livermore and Smith of South Carolina ridiculed the objection; "the President was a very good emblem of Liberty," and it was surprising that admirers of the French and their new constitution should not know their king was on their coins. The amendment carried by a party vote, 26 to 22, and the following day the bill was approved 32 to 22.⁵³



Borrowing in Amsterdam

RESTORATION of the public credit was important for the domestic economy—establishing confidence, confirming constitutional powers of the national government, providing means of progress for industry, agriculture, and commerce. Perhaps, on the home scene regarded separately, we might have managed for a time, with patience and luck, without funding, without assumption of the state debts, and even with a discrimination between first holders and present possessors, by transfer, of the public paper. It would have been a messy business, crippling our advance, and rendering the reckoning more difficult at a later day.

But immediate adoption of a program for discharging our debts, domestic and foreign, on lines which overseas creditors would approve, was essential because our plans for the future rested on successful fresh borrowing abroad. This must be the means of paying interest to foreigners, founding a national bank, aiding to meet the expenses of government at home. Dutch lenders were the only recourse, for the British (not disposed to assist us so soon after the Revolution) were burdened with their own debts, France was in social turmoil, Spain had little ability or inclination, and money to be found in Italy was problematical. The Dutch had aided us before through France, had abundant means, but the Amsterdam market had many calls upon it, and if Europe went to war the competition for funds there would be severer.

Hamilton, in devising Treasury policies, must look to Amsterdam, in a way that some debaters in Congress, without his knowledge and responsibility, disregarded. Hamilton must set America in a fair light before the world. This depended not on promises for the future, but on provision for those unkept in the past, not least because many private persons in France held our certificates and Dutch investors were buying them in hopes they would rise in value.

William Short, who had been secretary of embassy at Paris under Jefferson and was now chargé d'affaires, was designated by law to be the Treasury's agent in negotiating loans abroad. Since Hamilton could not go to Europe himself, because of his demanding duties with Cabinet and Congress, this proved an excellent arrangement, for Short was knowledgeable, active, and prompt. A month after taking office the secretary sent messages to Necker, the French minister of finance. Short was to assure him, in advance of formal provision by Congress, that the arrears of our debt to France would be discharged. However, the United States would be grateful if France offered to forego installments of principal five or six years if all interest were punctually paid. To this end Hamilton sought the aid of Lafayette, and commissioned Count de Moustier, the French ambassador, on a like errand.¹

Not only did Short, in reply, show that he was skillfully forwarding Hamilton's desire for a deferment in French demands of us, but he went further to prevent a mischief. Necker had broached to the National Assembly the project of borrowing in Amsterdam on security of what the United States owed to France, but he was also listening to a proposal of Dutch bankers to buy this debt outright. Short wisely took it on himself to warn Necker against this, as the transaction would be on terms onerous to France and injurious to the credit of the United States. Moreover, what Necker did not know, American credit in Amsterdam was rising. The bankers of the United States in Amsterdam had reluctantly joined in the proposal for fear of being left out, but they withdrew when they learned from Count de Moustier that this maneuver was disapproved by Congress. Promptly, however, a variant of this scheme was urged on Necker and Short by Daniel Parker of Boston, acting for a company of American speculators. This was to pay the American debt to France in French bonds ow-

ing to Amsterdam lenders. The arrears of interest would be ceded to the company by France, but the company was content to enter into Hamilton's wish for a postponement of payments on account of principal. This all seemed agreeable to Short, but he believed Necker would prefer to retain America as a debtor, since he could always raise cash on our obligations.²

Soon Hamilton was informed by the American bankers in Holland—now combined under the formidable style of Messrs. Wilhem and Jan Willink, and Nicholas and Jacob Van Staphorst and Hubbard—of the welcome news that the proposition to purchase the debt due from America to France had not been carried through. He was similarly pleased, but with a certain reservation, that our bankers had launched a loan for the United States of 3,000,000 florins, though previous to receiving authority for it. He indicated to the bankers the irregularity of this, protected the Treasury in the absence of an act of Congress, but gave them moral assurance of early validation of their eager anticipation of America's wants.³ He could not but be thankful that the state of American credit in Europe, before his proposal for funding had been so much as presented to Congress, had invited this trial by our bankers. But particularly, as he promptly explained to President Washington,⁴ the money would help to meet imminent demands in France, Spain, and Holland. If the President agreed, this loan could be sanctioned under either of the acts of August 4 and 12, or partly under each. Hamilton treated this decision to accept the loan, and to allocate it to one or partly to both of the acts of Congress, as perfectly within the executive competence, regarding it indeed almost as a matter of administrative convenience. Whether the President replied to this suggestion specifically, or how he did so, is in doubt. Hamilton's subsequent method, of merging the purposes of the two laws, was fiercely attacked in Congress. He would have been powerfully helped in his defense could he have produced the President's endorsement. At the worst, the secretary had clearly stated the option and, in the absence of a negative upon it, the presumption favored carrying it into effect.

The secretary was obliged to keep guard on our credit on the home front as well as protecting our financial faith abroad. A domestic incident at this juncture relates to both requirements.

Hamilton was determined to maintain the transferability of evidences of the public debt. This was essential to his plans to restore the value of the paper. Any cunning trespass upon the rights of the person to whom ownership had been assigned was therefore detected and rejected by him. Both houses of Congress, in May, 1790, passed a resolution requiring that persons presenting soldiers' certificates, of Virginia and North Carolina, in order to be paid must have a power of attorney, attested by two justices of the peace of the county of the original claimant. The pretense was that this was to provide against certain fraudulent transfers. So far as this was the case, the courts should give relief, perhaps with a special machinery which Hamilton suggested. But in principle the thing was repugnant to the public welfare, and he begged the President to interfere to defeat the harm it would do.⁵

Hamilton gave Short comprehensive instructions for making loans. The "provisional" or anticipatory loan of three million florins floated by our bankers having been approved, half of the sum was to be applied on our debt to France. The favorable exchange between Amsterdam and Paris would afford a premium which would cover the charges of the Dutch bankers on that part of the loan to be remitted to France. Short should at once go to Amsterdam to remain at least three months, and there inform himself on the terms on which other nations borrowed, the prices of all stocks including our own, and the conditions on which we might expect to obtain money in the event of war in Europe or if we should be at war. He should inquire into the comparative standing of different loan brokers to discover whether the United States should continue to use the present agents, and if so whether their charges might be reduced. This exploration must be conducted with delicacy. Hamilton's disposition was not to change bankers. Ours had risked their fortunes for us when the outcome was perilous, and ought to be allowed to enjoy our prosperity, so long as their terms were reasonable and their resources sufficient. If we shifted lightly, any advantage would be temporary, as the new agents would make the most of their opportunities while they lasted. The Willinks were "now deeply interested in our funds, and . . . consequently in our credit."⁶

We shall see that Hamilton held to this resolve of cultivating and relying upon mutual confidence (though on a particular occasion

he was induced to employ a banking house in Antwerp), and both the Treasury and the Willinks were rewarded.

The secretary sent to Short copies of the acts of August 4 and 12 authorizing the borrowing of \$14,000,000, together with a statement of all we would owe abroad, principal and interest, to the end of the year 1791. Short must not borrow beyond what was necessary to meet these obligations, unless funds could be had, to make payments not due, on terms favorable to the United States. Short was empowered to borrow only a million dollars at a time, as authorized. The second act of Congress confined the rate of interest to 5 per cent. Hamilton interpreted this as exclusive of "those premiums, commissions and other charges which are customary in ordinary times" (understood to be about $4\frac{1}{2}$ per cent). Hamilton particularly warned his agent against the error of obtaining a low rate of interest at the cost of high charges for the loan. "A higher rate of interest upon a sum *actually* received, is preferable to a lower rate upon a nominal sum, with large deductions. . . ." The prospect was that "as our resources become more unfolded and better understood," we would be able to borrow on easier terms. If we reserved the right to discharge principal ahead of time, the lower interest available to us would redound to our advantage. On the contrary, we would be penalized if, in the first instance, we had realized a smaller sum due to deductions we could not retrieve.

In his borrowing, Short should urge with proper assurance the smallness of our debt compared to our developing resources; our government was economically conducted; we were receiving immigrants from troubled Europe; we trusted to remain at peace while warring countries accumulated burdensome obligations. Also, however much we might wish to come to the pecuniary aid of France in her present embarrassed state, we should not volunteer payments to her in advance, especially if we must borrow in Holland for the purpose. Hamilton calculated that the course of exchange for some years to come must make it cheaper to pay to France (either direct from America or through Holland) than to pay an equal sum to Holland. The form of the debt should not be changed—that is, substituting the Dutch for the French as creditors—unless the rate of interest in Holland fell to 4 per cent, which he did not expect would happen.⁷

The loans in Europe belong to Hamilton's story because it was his policies that made them prosper and he decided questions that vexed the negotiations. The month-to-month administration was at one remove from him, as he must operate through his deputy, Short. Hamilton could not know promptly European political and military events, and other circumstances that affected the Dutch money market. Correspondence of the bankers with Short shows that the latter, with the merit of faithful attention, had the disability of rigidity which was inescapable in an agent. Though Hamilton had left much to Short's "judgment, circumspection, and delicacy,"⁸ only the secretary himself could be as flexible as sometimes the occasion required. The principal difference that arose between Short and the bankers concerned the amount of the charges for a loan. They got at loggerheads, and the issue was referred by both parties to Hamilton. His decision illustrated his wisdom in distinguishing what was morally right, and therefore preserved a relationship with the bankers that was fruitful over the years.

The Willinks, Van Staphorsts, and Hubbard in December, 1790, gave Short their letter to Hamilton to be approved, sealed, and sent. He would note that as long as the United States paid 5 per cent interest, "We have engaged at your request, to negotiate their future Loans for Four [per] Cent Charges of Commission, Premiums, Brokerage and all other Expenses whatever, Which is One Half per Cent less than they paid for their last Loan."⁹ In order to understand the vexing problem that developed, we must follow changes in the loan market as they ensued. Three months later all seemed well. The bankers were forwarding copies in Dutch and English of the contract for the first loan. They had delivered over half of the bonds of the loan opened in March, hoped the remainder would be called for speedily, and expected to be ready to propose with success a new loan immediately it was authorized. The credit of the United States was "sufficiently established and strong, to effect this without a Reaction from the political Circumstances of any Country whatever." Russian funds were selling lower than the American.¹⁰ Six weeks afterward the outlook continued excellent. Nearly all the bonds of the March loan had been delivered to subscribers, and their price was $\frac{3}{4}$ per cent above par. "They will probably still

rise, and . . . sufficiently high, by postponing . . . any proposals for a new Loan, to enable us to obtain the . . . next Loan for the United-States at a reduced rate of Interest. Every thing promises fair. . . ."¹¹

In a few days, with the former loan entirely closed up, a choice was posed. At the moment a new loan could be procured "at the usual rate of Interest" (5 per cent). If postponed for two, three, or four months, 3,000,000 florins might be had at $4\frac{1}{2}$ per cent, but an addition of 1 per cent in the charges would be necessary. This was little in comparison to the annual saving of $\frac{1}{2}$ per cent in interest "and the honor accruing from such an Increase of Credit and Confidence."¹² Soon the conditions desirable for a fresh flotation were further defined. If the interest was to be $4\frac{1}{2}$ per cent, the old bonds should be at 3 or 4 per cent above par, instead of 1 per cent as at present. However, no promotions for other governments were likely to check success for the United States, with their "vigorous . . . credit."¹³

A month subsequently the prospect was for new borrowing at not less than 5 per cent interest and no diminution in the charges (that is, must be at $4\frac{1}{2}$ per cent), "as the old Bonds on the appearance of a new Loan at the same rate of Interest, will instantly fall to par if not under." Even if $\frac{1}{2}$ per cent could be saved in charges, it was better to humor the money lenders so they would be "perfectly attached to the Business," and disposed to help later in times of difficulty.¹⁴ Apparently Short had been pressing to get the charges reduced below 4 per cent, which the bankers regarded as the lowest pitch. They countered by reminding that the old bonds were at par for small quantities only and were obtainable in quantity at $99\frac{1}{2}$. News from America continued encouraging, but prices prevailing for American bonds had overthrown Short's predictions.¹⁵ However, the causes were local; soon the bonds were recovering. Payments to France were at a saving because of the "most extraordinarily favorable" exchange, and warranted borrowing in September at 5 per cent interest and 4 per cent charges.¹⁶ (This bore out Hamilton's prediction that far more bankers and traders would want funds in Amsterdam than in Paris.)

Now came a difference of interpretation of the original engagement of the bankers with Hamilton and Short to set all charges at

only 4 per cent while the interest rate was 5 per cent. The Willinks had gone ahead with a loan for 6,000,000 guilders to be dated September 1, 1791, and plainly intimated that the total charges would have to be higher.¹⁷ The bankers by the next post explained that their charge of 4 per cent was fixed and independent of any increase the firm must pay to the "undertakers" (moneylenders); $4\frac{1}{2}$ per cent was reasonable. The 4 per cent had been agreed to for the loan of the previous March because Short insisted, and both the firm and American credit would suffer if the United States went to other bankers. But the firm had had to give not $1\frac{1}{2}$ per cent premium but 2 per cent. Brokerage was $\frac{1}{2}$ per cent, and a similar percentage went for seals, notary's signature, advertising, paper for the bonds, and so on. This left but 1 per cent for the bankers' commission, which was a temporary and voluntary sacrifice and could not apply to the loan now floated or into the future. The terms of the present loan ($4\frac{1}{2}$ per cent charges) were immediately embraced by the lenders "with all the *Eclat* you can wish, and has exhibited a new Proof of the Degree which the Credit of the United-States has attained here, to the great Satisfaction of their Friends. . . ." Particular circumstances had dictated swift action—an impending loan of 8 or 10 million guilders for the East India Company, and the certainty of a Dutch tax of 1 per cent on the principal of all loans raised in Holland for foreign powers. To take advantage of the moment the increase in premium was necessary. France could be paid promptly, thereby benefiting American credit and saving interest.

This recital, taking the facts as genuine, illustrated the justice of Hamilton's later reply to the congressional investigation of Treasury borrowing set on foot by Giles. Hard and fast conditions of a loan could not be stipulated in advance. The Secretary of the Treasury, at a distance in time and place, must be permitted some leeway to assent to what he felt was for the good of this country. Critics were sufficiently blinded by animus, but also by ignorance. Their accusations would have been dropped or moderated had they understood the numerous and unpredictable forces at play in the Dutch loan market. The truest answer to their assault was, "Lord forgive them, for they know not what they do."¹⁸ The firm continued on the same theme, that the total

charges must now be $4\frac{1}{2}$ per cent. They resented Short's imputation that their labors were not to be better compensated than those of a broker, whose work was mechanical. They must possess influence, ingenuity, give safekeeping to large sums, use judgment in making transfers. They would inform the Secretary of the Treasury of their difference with Short only if Short persisted in refusing the adjustment they asked.¹⁹

Short did persist; the Willinks found further discussion with him useless. "Wherefore," they wrote, "we propose to you Sir, that we shall settle the Matter with the Secretary of the Treasury of the United-States, From whose official Knowledge of the Business, and the Justice he will render to our Motives, We are persuaded We shall experience full approbation." With Short's permission, they would send the correspondence to Hamilton. It was plain that they were particularly stung by Short's derogation of their functions in handling the business of the United States in Amsterdam.²⁰ A month later they had received Short's assent to ask Hamilton "to scrutinize and award." "His Determination will be perfectly satisfactory to both you and us, we all desiring only what is just."

They went on to give advice for a flexibility which Hamilton embraced. Amsterdam was flush with funds, because the Dutch had sold English stocks which were too high and while the exchange was advantageous. This money would not go to France for lack of confidence. The United States should seize this favorable moment to borrow at the reduced rate of $4\frac{1}{2}$ per cent. When Short came at the end of November to sign the bonds for the 6 million guilders, he could also sign those for a new loan. He should empower the firm to remit to the French government as much and as fast as possible, "by reserving the Receipts of future Monies for the Bonds of a new Loan, to face the disposals of the Secretary of the Treasury, and to provide the Interest due here the beginning of next Year, Thus, securing to the United-States a Gain upon the Exchange, and saving them all possible useless Interest upon Monies in our Hands."²¹

So matters stood when our Amsterdam bankers were pained to discover that Short had opened a loan at Antwerp at $4\frac{1}{2}$ per cent interest. The same money could have been obtained at Amsterdam at 4 per cent, but now, though not at less than $4\frac{1}{2}$

per cent, for double the amount of the Antwerp loan. The Amsterdam lenders were piqued that Short had furnished the Brabanders (*sic*), "at our very Noses," bonds which otherwise they would have bought through Amsterdam. Short was neglecting the advantage of a standing relationship. The Willinks advanced interest. Hamilton had used almost their words: "Whenever a Debtor borrows . . . here, there, and wherever He can find Lenders, It argues . . . that either the Wants are immensely great, or the means of satisfying them very confined," and discredit was the result.²²

As far back as February, 1791, Short learned from Gouverneur Morris, at Paris, that probably a loan for a million dollars could have been made recently "in a place not in Holland." Short was responsive, believed it beneficial for the United States to be able to borrow in more than one place, and asked Morris to get particulars from those who had approached him.²³ Hamilton in reply agreed it was desirable "to be able to resort to more markets than one," and empowered Short to embrace the opportunity Morris mentioned if advantageous.²⁴ Soon Short had Morris' answer from his friends (at Antwerp, it turned out), and was so eager to open a loan with them that, if necessary, he would consent to their terms of $4\frac{1}{2}$ per cent interest and 6 per cent charges.²⁵ Three months later, still at Morris' urging, he approved a loan at Antwerp for 3 million florins at $4\frac{1}{2}$ per cent interest and 5 per cent charges.²⁶

At this time (December, 1791) C. I. M. De Wolf, the Antwerp banker who had been entrusted with what the Amsterdamers called "the fatal Loan," was sarcastic to Short about their envious reproaches, and believed that all the United States borrowing could be transferred to his market. At least his competition would render the Dutch more reasonable.²⁷

Hamilton, complimenting both Short and the bankers for their zeal in the public behalf, decided that $4\frac{1}{2}$ per cent charges, as contended by the latter, should be allowed on the new loan for which Short had signed the bonds, as upon the previous one. The President approved this determination. The great desideratum was to reduce the interest rate to 4 per cent. Hamilton wrote Short that his "movement towards Antwerp" (opening a loan with De Wolf) had probably induced the Amsterdam firm to calculate on 4 per cent interest. If this was accomplished, the

slight increase in charges should not be further opposed. He told the Amsterdam bankers that their difference of opinion with Short, now settled in their favor, would not prevent cordial cooperation in future toward borrowing in the one great market of Amsterdam all that the United States should need. However, to this end every effort should be made to reduce the interest rate on American loans to 4 per cent. Indeed, the Treasury would soon be able to borrow at home at that rate.²⁸

The Dutchmen at once heeded Hamilton's pointed desire. They proposed to commit their moneylenders to a new loan for the United States at 4 per cent interest before the rate rose, since France had declared war on Austria and Russia would intervene with force in Poland. They trusted to success if no more applications were made to Antwerp.²⁹ They were not disappointed, but the charges were 5 per cent, as a Polish loan at 4½ per cent interest had miscarried and it was expected Austria and Russia must borrow at 5 per cent.³⁰

Just as tidings of progress in America bolstered confidence in Holland, so untoward events were noted. St. Clair's defeat by the Indians, "compleat indeed," did not dampen ardor,³¹ but the money panic in New York was more disturbing. "The late fluctuations in the prices of stocks in America, may have had a temporary Influence upon the fears of some Money-Lenders," but had "not operated generally." Short had best make no public explanation, but the bankers begged to be informed of the causes as Hamilton saw them.³²

As the result of experience, limitations at first imposed on Short were removed by the President at Hamilton's request. He could borrow when he chose (not waiting for one loan to be ratified before agreeing for another), in whatever market was desirable, and could contract loans to pay off our foreign debt though not due until after 1792, so long as he kept within the amount authorized by law. This was because large savings of several sorts could be made by acting quickly in propitious circumstances.³³

This permission was in accord with what the bankers were constantly urging.³⁴ Further, the opportunity to discharge indebtedness to France, though not due, was improved by the saving in exchange. In the summer of 1791 this was upward of 20 per cent in favor of Amsterdam. Hamilton, complying with the hope of the French minister, Ternant, refused to take advantage of the depreci-

ation of 10 per cent in the French assignats, and allowed for this in the payments. Even so, there was a real gain to the United States in the exchange of 10 per cent independent of the depreciation of the French currency.³⁵ To profit by this, Hamilton instructed Short to proceed in borrowing "to an extent sufficient to discharge the entire debt to France."³⁶ Hamilton considered that the Antwerp loan had served its purpose in moderating the demands and spurring the efforts of the Amsterdam bankers, and did not counsel new loans in Belgium even if the Dutch laid a 1 per cent tax.³⁷

The use that Hamilton made of the Bank of the United States in sustaining the credit of the government is illustrated in his proposal to the President and directors in the spring of 1793. Within two months the Treasury must make a considerable payment at Amsterdam, and to make sure this did not fall short, he wanted conditional control of \$100,000 of the bank's bills on London. In all likelihood a loan at Amsterdam would make employment of these bills unnecessary, in which case Hamilton provided that the bank should suffer no loss.³⁸ The complicated particulars of the arrangement could not have been embodied in a report to Congress, nor indeed could they have been foreseen when establishment of the bank was asked for. This among other instances shows Hamilton's superior anticipation of problems the Treasury must meet.

The journals of the legislature of New York at this period conceal more than they reveal. Lacking minutes of debate, the motives of men and measures are left to be guessed, or gathered from other sources. To the clerks, political deeps and shallows, the portentous and the incidental are all one. A motion, amendment, and vote to be noted, and then to pass, without transition, to the next item and the next. The briefest communication of the governor is a relief, for here are words in reasoned sequence, and not just the drop of the gavel.

This laconic quality of the official record is not more annoying than in the middle of January, 1791, when it is set down that Aaron Burr was elected to the Senate of the United States over Philip Schuyler, a candidate to succeed himself. In these few words was a declaration of party war in state and nation. The competition here overtly commenced led directly into history. For Hamilton it conducted to death, and for Burr to disgrace.³⁹

It was ironical, in the dozen years that followed, that the antagonism of persons played so determining a part. An opposition of principles was inevitable in a young country seeking its own directions amidst the buffeting of warring winds from Europe. This conflict of ideas and interests could be violent without being villainous. However stern, it was for the most part logical and salutary. Federalist against anti-Federalist (soon Republican) was a contest that commended itself to the understanding. However severe, it was reasonable and carried within itself the promise of useful adjustment. Hamilton and Jefferson were, in perspective, honorable enemies.

In this controversy Aaron Burr was to be a capricious element, quickening and confusing. He was of both parties and of neither. Darting between them, he bred suspicions that magnified the pretensions of both sides. He wove nettles into the political shirt. Other partisans were extremists, but by the same sign their utterances and actions could be discounted with tolerable accuracy because they held their known beliefs. Burr was mercurial, unaccountable except to his strange self. His facility destroyed his fidelity; his courage was a mockery in one so uncandid.

To be sure, the historian does not expect to find sober conviction throughout, nor its counterpart in constancy and integrity. Chance has its rôle, often played by the self-seeking adventurer. Burr was a queer mixture. Disingenuous, he somehow managed to preserve a certain dignity. With more than a touch of evil, he yet appears tragic, for he managed not only to intensify the animosities of the dominant leaders of the time, but to become himself the hated of both Hamilton and Jefferson.

The course of events is all of a piece, really. We may not say, with strict accuracy, that cleavage over adoption of the Constitution and debates on Hamilton's financial plan were profound preliminaries, and that party strife, as such, dated from Burr's replacement of Schuyler in the Senate. But it serves conveniently in Hamilton's history. When General Schuyler was elected with Rufus King in 1789, he had drawn the short term, expiring March 4, 1791.

A Federalist friend apologized—unnecessarily—for breaking in on Hamilton's concern with larger matters to relate mischief-making in New York: "Strange unions have been brought about

by our artful persevering Chieftain [Gov. Clinton]. . . . Many who were Federalists sucked into his Excellency's Vortex, & the Chancellor's family become one of the principal satellites of this Noxious planet. Hence it is that a blessed accession of strength will be added to the Senate of the U States in the person of Col. A. Burr. A coalition of interests from different principles produced his Election. He is avowedly your Enemy, & stands pledged to his party, for a reign of vindictive declamation against your measures. The Chancellor hates, & would destroy you." Where find a head to keep New York in support of the national government? "Duer never can prop the *good old cause* here. He is unfit as a Leader, & unpopular as a man besides. . . ." Hamilton should alarm the people against impending danger. ". . . the presence of Gen⁴⁰ Schuyler would revive a drooping party. . . ." Duer himself regarded Burr's triumph as a thrust at Hamilton's Treasury plans, particularly his proposal of a national bank, then about to be vigorously debated in the House.⁴¹ "Mr. Burr's Plan of a Bank, will not be accepted by the Directors," Duer reported, "but, I fear from what I learn, from your Quarter, that the System [you urge] will not take Place during the present Sessions; and if so Heaven only knows whether it Ever will. . . . To see the Fabrick you have been rearing, for Encreasing the Happiness of Millions, undermined by the most profligate Part of the Community, and its most faithful Servants treated with the blackest Ingratitude, is a Reflection not to be dwelt on with Patience."⁴² Troup, announcing Burr's election over Schuyler, was similarly alarmed. "We are going headlong into the bitterest opposition to the Gen'l Government. I pity you most sincerely, for I know you have not a wish but . . . is combined with the solid honor & interests of America. Delenda est carthago is the maxim applied to your administration." He added, "My advice . . . is to continue as you have done. . . ."⁴³ James Kent in the New York Assembly had thought "things look auspicious for Burr. It will be in some measure a question of northern and southern interests [within N.Y. State.] The objection of Schuyler's being related to the Secretary has weight."⁴⁴ Kent added the "unprepossessing austerity of [Schuyler's] manner."

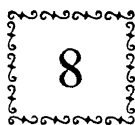
These contemporary diagnoses of the election of a New York senator are readily supplemented. The Livingstons had been

forgotten in the distribution of Federalist patronage—Cabinet, Congress, court, diplomatic appointments. Jay became Chief Justice, King a senator along with Schuyler. Some of this influential and deserving tribe, especially Robert R. Livingston, should have been included. Burr was not passive in the game of Clinton to attract these neglected desirables into his Democratic camp. He was alacritous to split the Livingston-Schuyler coalition that had worsted Clinton at Poughkeepsie in favor of the Constitution. He suggested Governor Clinton in return for support in ousting Schuyler would appoint Livingston's brother-in-law, Morgan Lewis, attorney general. This fetched the disgruntled chancellor.⁴⁵

The election of Burr, said Duer in frustration, "is the fruit of the Chacelor's [*sic*] Coalition with the Governor." Duer, busy to reclaim apostates, wanted the test postponed, but was "unfortunately overuled" [*sic*] by Hamilton's friends in the House. He would ever believe "that the measures which were taken to bring over several who had United with the Antifederalists would have proved successful."⁴⁶ However, Federalists who vetoed delay were distrustful of Duer's management. Burr told Sedgwick, "There was uncommon animosity & eagerness in the opposition."⁴⁷

From the geographical distribution of votes in the Assembly one is persuaded that Schuyler's defeat was a done thing in advance. James Livingston, of Montgomery, nominated Schuyler to fill the coming vacancy in the United States Senate. John Smith, of Orange County, as an amendment moved the name of Burr be inserted instead. Livingston's motion was lost, 32 to 27. Smith's nomination of Burr was then carried, 32 to 27. However, the Federalists were not finished, for Cornelius J. Bogert, of New York City, moved to strike the name of Burr and substitute that of Egbert Benson, but this was rejected by a larger vote, 35 to 24, than that which eliminated Schuyler. Most of the votes for Burr came from upstate except Albany. Schuyler had from Albany City and county 5 of the 7 delegates (Bronck and Sill apparently absent), and 11 of his votes came from Westchester and below.⁴⁸ The Senate concurred in the nomination of Burr, 14 to 4.⁴⁹

Burr must have had Hamilton in his eye when he remarked, in mock restraint, "I have reason to believe that my election will be unpleasing to several Persons now in Philada."⁵⁰



Stimulants to Manufactures

THE Report on Manufactures, ordered by the House nearly two years before, was submitted December 5, 1791. The interval is not surprising, since the secretary had been absorbed in the more pressing fiscal proposals, and in organizing the Treasury, especially for collection of revenue. Also, materials for the earliest reports could be had within the department, but plans for manufactures required a time-consuming survey of the extent of industry in the country and the prospect of future development. The assemblage of data was arduous, and the conclusions to be drawn from replies were correspondingly problematical. Absolutes were fewer than in the case of fiscal determinations. Moreover, the policy of encouraging American industry by whatever sort of governmental action needed circumspect argument. The expectation and desire of most was that we continue in our almost exclusively agricultural economy. Our wealth of land, and shortage of labor, experience, and capital for manufactures seemed to dictate this course. Political preference was for reliance on individual inclination rather than on public direction. Deliberate promotion of industry was therefore doubly unwelcome. It was class legislation, undemocratic, and added to suspicion of the central authority. Just as well, then, that a program for manufactures should be a little delayed.¹

Yet Hamilton is perhaps best known to aftergenerations as the

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apostle of protection. His establishment of the national credit is gratefully acknowledged, but his means to that end are less defined in memory, while they carry, mistakenly, a tincture of unworthy motive. His accomplishment in public finance was in his lifetime; it was a thing done, and other methods through the years preserved his example. But the policy of protection to American industry was relatively unchanging, was directly referable to him as his arguments were repeated for a century and a half. True, abuses that he would have condemned supervened. His prescription in an early day became less applicable as our invention and industrial production took leadership and as we became a creditor nation. Still, a long succession of acts testified to the endurance of the impetus he imparted.

Hamilton's ability to turn out profound Treasury reports on complicated subjects was remarkable not least because at this time, especially while that on manufactures was in preparation, he was having an affair with one Maria Reynolds. This in itself need not have been a harmful distraction, but his precautions for secrecy took devising and proved futile. He was blackmailed by her husband with results, personal and political, which he was able to suppress only temporarily. The beginning of the story might be related here, where it falls chronologically, but all is reserved for the scandalous exposure five years later. Meanwhile the reader is put on notice that the secretary's application to economic analysis was embarrassed by a quota of private anxiety.

The program for encouraging industrial development is the broadest of Hamilton's Treasury reports, the nearest to planning for the future economy of the country. It is fiscal only incidentally, but strives to fashion prosperity and security for the new nation. Since it does not center on creating a single institution—bank or mint or funding system—but deals with rounded development to be accomplished by degrees, it is not surprising that it was the one of his proposals not acted on forthwith. Hindrances were the agricultural preoccupation of the country, dislike of vesting authority in the central government, and the lack of capital, industrial experience, and skilled labor necessary for the project. Power-machine production, beyond the simplest, was only commencing even in Britain, had not become a means to be emulated.

Adam Smith's *Wealth of Nations*, published fifteen years before,

was taking its place as the statesman's handbook of economic laws and policies. While this historic work was many things, its chief preachment was demolition of mercantilist controls, and the crying up, instead, of a system of commercial liberty. Appearing in the same year with our Declaration of Independence, its appeal for economic freedom was most congenial to the American mood. The Scottish philosopher's optimistic contention that the individual, striving for his private advantage, would accomplish the public good, fitted the buoyancy of our society. It suited, also, our lack of cohesiveness. We had been obliged, in the Constitution, to install a measure of political organization. The strains incident to this were fresh in memory; the controversies growing from it were waxing. Must we now gird for another undertaking, in the economic sphere, less eligible because more mysterious? Further, our obvious resource was land in unclaimed abundance. Where nature was so lavish, why should America resort to art? Land, cheap or free, invited to realize the equalitarian ideal, and by familiar means without legislative action. Protective import duties and bounties, decreed by lawmakers, were repugnant to social justice, for they gave premiums to the few to the prejudice of the many.

The special commitment of the planting states formed a sectional obstacle to Hamilton's advocacy of manufactures fostered by Congress. Staple agricultural exports—tobacco, rice, to a less extent grain—needed no protection, indeed could receive none, ruled as they were by the overseas price. The planters feared that their foreign markets would be contracted in the degree that America offered impediments to imports. Moreover, planters must pay more for fabricated goods, whether made abroad or at home. Slaves, it was supposed, were not adapted to mechanical, certainly not to factory, employment. Industry encouraged urban development, which did not suit the planters' book. This agrarian interest coincided perfectly with territorial division of labor and free trade, as expressed in the trumpetings of such protagonists as John Taylor, of Caroline. Finally, Hamilton's success in winning approval for funding and bank had further consolidated the opposition to his measures.

The merit, and distinguishing feature, of the Report on Manufactures is that Hamilton deliberately set aside a principle for a contrary policy. In the condition in which he found America, he

declined to follow the dogma of individual self-interest in economic action, and preferred governmental guidance. He was the first prominent figure to challenge the general applicability of the abstract doctrine of *laissez faire* which had gained sway in France and Britain and was spreading to this country.² He declared instead the relative character of economic principle, observing that circumstances altered cases. Not only was this of immense practical importance to the course of American development; it was an event in the progress of economic thought. He impressed the correction that economic tenets are not absolute, but are modified by time and place. The Physiocrats and Adam Smith had in fact illustrated this when they discredited Mercantilism, but they fatuously set up a new dogma in its place. Hamilton, taught by the naïveté, reinvoked a degree of economic control as an interim policy. Quesnay and Smith were too ready to proclaim that what suited France and Britain was to be accepted as universal law. Hamilton preferred wisdom to sacred canon.

The results, for economic learning and statesmanship, ran into the future, and the end is not yet. Hamilton, as finance minister of a rising empire, broke the tables of the law, and substituted for them discretion. The effect, long after his day, was to encourage the conviction that economic virtue lies not in nature but in man. We are not confined by foreordained rules; society by taking thought may add a cubit to its stature.

More specifically, Hamilton interposed the nation between the local community of individuals and the world of individuals. The needs of the state were separate from and, in a preparatory stage, ran counter to axioms of traders in a single street and also producers and consumers, sellers and buyers in the universe. This intermediate unit of the nation must consult its own means to prosperity and security. In America, with vast natural resources, but small population and paucity of capital, government must induce development of productive power, especially by joining industry to agriculture and commerce. Variety of economic pursuits would provide mutual quickening of all, and furnish a national self-sufficiency promotive of stability, and defense in event of war.

This theme of association or cooperation ran through Hamilton's recommendations, because we were deficient in organization. The blend of political and economic power was prominent. These two

should unite for national prosperity. For Hamilton, national wealth was not, as for Adam Smith, a stock of commodities, but rounded efficiency in production and consumption. Wealth was social coordination, self-discipline of a people. While wealth expressed itself in material forms, it truly consisted in political, almost in moral, competence.

This thesis was elaborated in different ways by writers and publicists, especially in this country but also in Europe, who followed in Hamilton's train. Mathew and Henry C. Carey, Daniel Raymond, Hezekiah Niles, John Rae, Henry Clay, and others in this country had more than protectionist incentive. Friedrich List, further taught during residence in America by Hamilton's example, took these policies back to his native Germany, where he fixed the theory and practice of economic nationalism as an amendment of French and English classicism. The historical school, commencing with Sismondi, powerfully contributed in the same behalf. Fichte and Bismarck focused these influences to the unfortunate purpose of statism, whereby hangs a tale. The pioneering of Hamilton and the Federalists, political rather than economic, was given as a prescription for the British Empire more than a century afterward.³ The five-year plans of Soviet Russia descend logically rather than historically from Hamilton's projection in America, while the overseas assistance to less developed countries by the United States and the United Nations owe something to his impetus.

The Report on Manufactures, with supporting parts of his program, mark Hamilton as the earliest American economic planner⁴ and one of the first in any country. Assignment of priority in such advocacy is unprofitable. Hamilton owed much to the Mercantilists, especially as transmuted in Postlethwayt's revision of Savary's *Universal Dictionary of Trade and Commerce*. Hamilton revived for his young country, on the threshold of development, the spirit of the Mercantilists, as adapted to the era of private industrial capitalism that was opening. Thus he was a man of the transition. He did not break with the European past as Europeans themselves did, but belonged, in motive and method, quite as much to the early eighteenth century as to the last quarter of that century and the progress of the twentieth.⁵

Hamilton more warmly than Adam Smith, because he had the benefit of later developments, embraced the Industrial Revolution.

Smith understood perfectly the means to industrial transformation, in private acquisitive incentive and in the division of labor, but he did not grasp the changes in kind that would ensue from mechanical improvements. These Hamilton could see, and his vision expanded upon them. He would bring America, as rapidly as possible, into the new industrial age which had become the condition of national advance. He knew that without governmental action to overcome our handicaps we should lag in the procession, or perhaps not join it until much damage had been done to our economy. How else to waken our latent capacities? Land for the asking and the simple tools of cultivation threatened to condemn us to agricultural stagnation. We would be a vast farm for Europe, on which we must depend for manufactured goods. Inhibitions of inexperience and isolation contributed to this danger. Moreover, these fastened upon us a positive preference for agrarian life, inviting the abundance of nature, confident of peace ensured by three thousand miles of ocean.

Hamilton first stated the commonest arguments against governmental encouragement of manufactures in America. Had other nations obeyed these principles, this country might follow suit to its advantage. He allowed that agriculture has "intrinsically a strong claim to pre-eminence over every other kind of industry." Here he was making his bow in the direction of Adam Smith, who so far agreed with the Physiocrats.⁶

But agriculture was not necessarily most productive, certainly not exclusively productive as the French philosophers had maintained. And manufactures would advance, not injure, agriculture. Hamilton made an excursion into the arguments of Smith and others in favor of the superiority of agriculture in order to refute them. Nature worked with labor in manufactures too; if agriculture yielded a surplus of rent to the landlord besides profit to the farmer, so did manufactures furnish interest to the capitalist as well as profit to the undertaker. But no one had made comparison "upon sufficient data, properly ascertained and analyzed." Such particular examination as he had been able to bestow persuaded him "that the nett produce of capital engaged in manufacturing enterprises is greater than that of capital engaged in agriculture."⁷

However, he did not pursue the question whether the gross produce of agriculture or of manufactures was superior. Probably

they were equal. At least, no preference for tillage (such as Smith declared) should deter from promoting manufactures if the latter added to "the total mass of useful and productive labor, in a community. . . ." Then, rehearsing Smith's reasons,⁸ and giving more of his own, he clinched the case for the productiveness of the artificer. These passages made taxing reading for legislators, who doubtless felt that the secretary was taking a long run for his leap. But he must remove, if he could, uninformed prejudice. Hamilton's iteration, in fact, belied the opening declaration of the report that the expediency of encouraging manufactures in the United States "appears at this time to be pretty generally admitted."⁹

He did better in his illuminating proof that manufactures, serviceable in themselves, swelled the revenue of the society beyond what it could be without them. Here again he was the pupil of Adam Smith, repeating the Scotsman's celebrated detail of the economy of the division of labor,¹⁰ and supplying other arguments applicable to the situation of America. His exposition, pointed by patriotism, and informed by review of the progress already made in the mechanic arts in this country, is ampler and more animated than Smith's original treatment. Smith was detached, defining a phenomenon. Hamilton was engaged in producing an ardently desired practical result. In Hamilton's hands Smith's anatomical specimen sprang to life. Rubrics became for him mandates for action. Viewing the division of labor as the multiplier of manufactures, he elaborated benefits in extension of machinery, fuller and more varied employment (including attraction of foreign artisans), stimulating enterprise, and ensuring demand for surplus produce of the soil.¹¹ He ticked off Smith's advantages of the division of labor—facilitating dexterity, saving time, prompting mechanical invention—and with his own zeal illustrated how these forces magnified the total productivity of a community "to . . . a degree of energy and effect . . . not easily conceived."

He stressed the advent of cotton-spinning machines in England, all but saying they announced the Industrial Revolution, and asked why we should not domesticate their wonder-working powers.¹² Here he was much aware of his ambitious plans for the Society for Useful Manufactures. Probably he did not know young Samuel Slater, who had come from England to New York with a cotton mill in his head about the time Hamilton became Secretary of the

Treasury, and who, when this report was submitted, was duplicating Arkwright carding and spinning machines in Rhode Island.¹³ Nor could Hamilton guess that within two years Eli Whitney, a guest of his friend Mrs. Nathanael Greene on the Savannah River, would invent the gin that put cotton in the forefront of the textile industry.¹⁴

Anticipating the objection that manufactures would subtract from the already insufficient supply of workers on the land, he was eager to point to sources of labor that, so far from depleting tillage, would assist agriculture. Farmers' wives and daughters would find supplemental employment in neighboring factories. Others, not equal to "the toils of the country," particularly children, "many of them of a tender age," preponderated in British cotton mills.

Hamilton has often been blamed for urging the labor of young children as an industrial resource. This is to apply later standards to his day. In Britain and in America, self-support of children who were public charges, and assistance of others to their parents, if poor, was universally approved.¹⁵

Of more importance than children were foreign factory workers who "would probably flock from Europe to the United States" if they had prospect of bettering themselves in similar employment here. Though they would not come originally to work the land, some would turn cultivators. Agriculture would derive "unmingled advantages from the growth of manufactures," not losing hands the while.¹⁶ As evidence that Hamilton's expectations of immigrant workers were not unfounded, the brig *Havannah*, thirty-eight days from Newry, Ireland, put in at New York with 175 "manufacturers and farmers . . . who have emigrated from the oppression of Europe to settle in this free country." The brig *Mary* was bringing more.¹⁷ Hamilton anticipated much that was written after him when he urged that "multiplying the objects of enterprise" would add to national wealth by rousing human energies. "The spirit of enterprise . . . must be less in a nation of mere cultivators, than in a nation of cultivators and merchants; less in a nation of cultivators and merchants, than in a nation of cultivators, artificers, and merchants." His successors of the American national school were never tired of stressing variety as the stimulus to ingenuity, and the related idea, prominent in Hamilton, that different sorts of production were mutually fertilizing.¹⁸

Hamilton bore down upon what came to be known as the "home market" argument for protection to manufactures. The increasing surplus of American agriculture found a precarious vent abroad, due to fluctuations in foreign crop yields, and to trade restrictions which, in their extreme forms, Hamilton condemned. All were mindful that, politically free from the British, we were economically bound by Britain's commercial regulations. We had been unable to make reciprocal trade treaties with other principal countries which "throw serious obstructions in the way of the . . . staples of the United States." As a cure for this uncertain reliance on overseas markets, for both export of raw products and import of finished goods, we must develop a domestic demand for the first and domestic supply of the latter. Agriculture and industry would nourish each other. The beginning we had been forced to make in manufactures in self-defense should be extended.

In this part of his brief Hamilton went far to acknowledge the wisdom of a nation devoting itself almost exclusively to the form of production in which it held a clear superiority, even though this be agriculture, if unfettered exchange with other countries could be counted upon. The benefits of a balanced home economy might be foregone in the interest of specialization dictated by free choice of producers and enterprisers. But, as previously emphasized, "the system of perfect liberty to industry and commerce" was not in fact "the prevailing system of nations," hence the American predicament compelled deliberate nurture of manufactures.

Hamilton then developed what was afterward famous as the "infant industries" argument for protection. Here he squarely opposed the thesis of Adam Smith that private initiative, left to itself, would find out the most profitable employment of resources. On the contrary, "the incitement and patronage of government" were indispensable to overcome inertia, the "apprehension of failing in new attempts," the superior efficiency of foreigners who had made an earlier start, and the material encouragements of rival nations to enable their producers to undersell all competitors.¹⁹

Hamilton addressed himself to the objection that manufactures could not prosper in this country owing to scarcity and dearness of labor and lack of capital. The want of hands was mitigated by employment of machines and immigration of skilled workers. Higher wages here were canceled by costs to the foreign producer

offering his goods in this country. Redundant foreign capital was already seeking our shores, and, as new opportunities were demonstrated, and the stability of our political system was confirmed, additional flow from abroad might be expected. He sought to dispel jealousy of foreign capital, which, in our undeveloped state, was "a precious acquisition" to production. But the funded debt was a domestic resource sufficient to the object. He explained with care how the public debt, though not "an absolute increase of capital, or an accession of real wealth," was "an artificial increase of capital, as an engine of business, . . . an instrument of industry and commerce." Like bank credit, the settled debt could be readily converted into specie. Only a small proportion of coin or other circulating media was required, either in discharging interest and principal or in accomplishing transfers. All the while, the body of the debt served the purposes of capital.

Taught by the recent debates in Congress, the secretary noted the caveat of respectable persons that no benefit, in the guise of extra capital, ought to be conceded to public debt, "lest it . . . be inferred, that, the more debt, the more capital; the greater the burdens, the greater the blessings of the community." The answer was that excessive debt, from various causes, was undoubtedly a disutility, but that this country was safely short of the critical point where merit became detriment.²⁰ But theory and conjecture aside, important branches of manufacture were already flourishing in America, and Hamilton named them. He included the "vast scene of household manufacturing" which his inquiries had revealed in all parts of the country.²¹

One of the commonest aversions to protection declared it to be class legislation, permitting the domestic producer to charge higher prices, to the special prejudice of farmers. Ever ready to test sweeping statements, Hamilton showed that this had not always been the fact and that in principle internal competition "soon does away every thing like monopoly, and by degrees reduces the price of the article to . . . a reasonable profit on the capital employed." In that day of small things he could not foresee that tariffs would foster and be perpetuated by business combinations in America.

An inspiration of Hamilton's promotion of manufactures was his knowledge of the dependent economy of his native West Indies, devoted principally to the agricultural staple, sugar. He dwelt

upon the limitations which a single raw material for export visited upon commerce, draining the community of coin. Our own experience before the Revolution illustrated this misfortune. On the other hand, as the faster recovery of some parts of this country showed, manufactures and money seemed to go together. Further, manufactures, conducing to national self-sufficiency, contributed to safety. The late war had witnessed our inability to supply ourselves, and he prophesied with truth that a future conflict would find us unprepared unless we embraced with zeal a program of industrial development.²² The fact was to be that, too far neglecting his advice, we lagged in manufactures for a generation, until the War of 1812-14 converted America to the policy which Hamilton had urged.

Hamilton branded as unfounded and mischievous the insinuation that encouragement of manufactures would increase antagonism between Northern and Southern states, because only the former, better adapted to industry, would profit. Rather, the South would find a steadier market for its raw materials, and besides, prosperity in any part would communicate itself to the whole Union. He did not appear to envisage progress in manufactures in the South. Hamilton the nationalist was singularly free from sectional attachment or special pleading. He added that the disturbed state of Europe, sending money and men to the United States, should be availed of "to produce solid and permanent improvements"—not mere speculation—here. His whole object was to equip America with capital, not to add temporarily to consumption of foreign luxuries with consequent drain of specie. The development plans of similarly backward countries 150 years later were to have the same purpose.²³

He turned now to a new topic. How best to stimulate manufactures here? He called over and estimated the means successfully used in other countries.

Contrary to popular belief, while Hamilton approved protecting duties, even prohibitive ones in some cases, for the United States, he gave his preference to bounties, premiums, and other specific encouragements, though less familiar to our people. In this whole discriminating discussion, he was strongly influenced by Postlethwayt's *Dictionary of Trade and Commerce*. Hamilton opposed prohibitions on export of raw materials of manufacture as too certainly

injurious to agricultural producers; he was against duties on imports of scarce raw materials as hurtful to fabricators.

Bounties were more positive and direct, did not usually raise the price of the article or tend toward its scarcity. Properly devised, bounties reconciled the interests of farmers and manufacturers. The ideal way was to lay a duty on foreign manufactures and apply the proceeds in a bounty on home production of the material or on its manufacture or on both. Of course, when an industry had become well established, the bounty should be removed. He defended bounties against the charge that they gave away the public money without immediate return, enriched certain classes at the expense of the community. It was the interest of all to submit to a temporary expense that led to ampler resources and eventual cheapness.

With emphasis, he refuted the objection that Congress had no constitutional right to grant bounties. He repeated and analyzed the authority "to lay and collect taxes . . . to . . . provide for the . . . general welfare." Here he was clinching and extending his recent victory in sustaining the legality of the Bank of the United States. With the exceptions which he quoted, "the power to raise money is plenary and indefinite, and the objects to which it may be appropriated, are no less comprehensive. . . ." Otherwise unforeseeable needs must go unprovided. Of course, the purpose must be general, not local. The power must not be capriciously exercised, but within fair construction of constitutional definition.

The secretary stressed the economy of premiums "to reward some particular excellence or superiority, some extraordinary exertion of skill" which thereby excite "the enterprise of a whole community." He cited societies abroad dispensing such prizes; "with . . . slender funds, their utility has been immense," and deserved emulation with governmental support in the United States.²⁴

Hamilton recommended internal transport—improved roads and canals—as particular aids to manufactures, citing the example of Great Britain, and speaking warmly of recent betterments in inland navigation in America. He quoted with enthusiasm a paragraph on this head from the *Wealth of Nations*, especially because Smith censured misguided local opposition to roads of national utility.²⁵ Hamilton wished that the national government could "lend its direct aid on a comprehensive plan" of internal improvements. It

is not clear from the passage whether he himself doubted the constitutional power of the central authority to this object, or whether he felt this was the popular view and would prevent effective action. At all events, he commended such works to the states.²⁶ His last general observations condemned, as hurtful to manufactures, regressive taxes and those which gave discretion to assessors.²⁷

The remainder of the report, chiefly devoted to means of assisting particular manufactures, may be treated briefly. Under sixteen heads he reviewed the utility, degree of development, and type of support serviceable to a larger number of products. In this survey he drew not only on the reports that had come to him in response to his inquiries, which were thoroughly digested, but on other sources, such as European experience, and that of the West Indies. He recommended, in appropriate instances, one or more of the protective devices he had earlier explored. Generally, import duties on finished goods should be raised, even be prohibitive, where we supplied our own needs. Import duties on raw materials which we could not soon furnish at home should be lowered, and drawbacks should be allowed on semifinished products further worked up in this country. He particularly urged the use of bounties, and an agency to dispense public funds to stimulate invention, introduction of new machines, and immigration of skilled workers. He balanced the complicated elements that figured in the different cases with nicety, and in instances concluded that action should wait upon further experiment and experience. Of course, he was referring all to the wisdom of Congress, but in certain recommendations he was more emphatic than in others. His whole schedule was more systematic and discriminating than was the *ad hoc* tariff of 1789, which he had considered premature, and made changes in the items which had been incorporated in later revenue laws.

While whatever increased national industry and wealth must benefit the revenue, he believed that the measures he was proposing would, taken together, "for a long time to come" contribute to the Treasury, since population would outdistance the progress of manufactures. His highest named *ad valorem* duty (which he hoped would be an "excluding" one in the case of glue) was 15 per cent, though he suggested other means to "banish from the market" such products as foreign malt liquors of inferior quality. On the other hand, certain pleas that had come to him for protection he flatly

rejected, as in the case of tanbark. When one thinks of periods in later history, with logrolling and unabashed grabbing, one regrets that the fidelity of the progenitor of American protective policy was not followed.

Throughout, Hamilton's proposals for aids to manufactures were mindful also of the claims of agriculture and of our "precious . . . household industry." Though coal was hardly anywhere exploited except in Virginia, he had the prescience to foretell its enormous rôle in iron manufacture and in home heating, and solicited a bounty and premiums for opening new mines. Coal should conserve supplies of wood, to which he admonished, pointing to dwindling stocks of Europe. He was eager to foster in several industries by-products that would save otherwise waste materials. He frequently recommended inspection of goods, especially those for export, to ensure quality; in the case of flour he must have remembered the brownish, wormy stuff with which he had contended in Cruger's store in St. Croix.²⁸

Surely prompted by the activity of Tench Coxe in the Pennsylvania Society for the Encouragement of Manufactures and Useful Arts, and by the recent attraction of Samuel Slater to Providence, he praised such voluntary efforts to domesticate foreign machinery and artisans as "truly invaluable." But these limited attempts showed the need for public commissioners, with an allotment from tariff revenues, who would offer similar inducements. These public patrons should be allowed discretion, for he intimated that their success in procuring foreign machinery would require some management.²⁹

The parts of three drafts of the Report on Manufactures,³⁰ in Hamilton's papers, refute any notion that Tench Coxe or another was the real author. The scores of sheets are entirely or mostly in Hamilton's hand, with here and there passages in the writing of a copyist but corrected and amended by Hamilton, or with a word that the copyist could not make out in Hamilton's original supplied by him. Not only is the body of the report in Hamilton's autograph, but also recommendations concerning particular manufactures. These last begin with "Ardent Spirits" and go on to iron, muskets, and small arms of every kind, on which "It would appear advisable to impose . . . a specific duty according to the following rates," and so on. Three sheets, headed "Points," contain ap-

parently the original outline of his argument. It is in the form of answers to objections, thus: "1 Agriculture most productive kind of Industry," opposite which is "Answered fully[.] not unproductive[.] Society more revenue with manufactures than without. 2 Wrong for government to give a direction to interest. To be answered. *Private* interest will do all that is necessary. This to be deferred." And so with additional heads and then "General Considerations" and "Particular considerations," and memoranda to himself calling for additional matter and saying where it was to be inserted. At one point is an extraneous reminder, "Has B Cudworth's Com [commission] been sent on." From these papers it is evident that Hamilton labored on the report long and arduously. The organization was a problem because he was interrupted often.

When Hamilton had submitted his chief reports charting the nation's economic rescue and development, Fisher Ames wrote him in congratulation: "The price of paper being above par evinces the solidity of the principle on wch you founded your system of finance, as it shews the reduction of the rate of interest to be a fact as well as a theory, a fair ground of bargain with the creditors. . . . But a triumph of a nobler kind is found in the situation of our country. The body politic is certainly in high health. It's enemies, it's friends, chance & design seem to have conspired in its favor. . . . Weak men feel their fears subside, sanguine men their hopes realized. The federal tree was in blossom almost as soon as it was planted," was now bearing fruit, and little winds that shook it but gave "new vigor to the roots." In these gratifying results Hamilton had his reward. Ames added in a postscript, "We have you here [Boston] in wax. You see that they are resolved to get money by you in every form."³¹

Dartmouth College conferred on Hamilton the degree of LL.D. at the commencement in 1790, and President John Wheelock transmitted the diploma with the wish that "the blessings of providence . . . continue to attend your exertions for the prosperity of these states and of mankind."³² Not long after, Harvard College paid Hamilton a similar honor. President Joseph Willard wrote of the pleasure of the Corporation and Overseers in "publicly testifying their esteem for the Minister, to whose wisdom and unremitted exertions these United States owe so much of their

present tranquility and prosperity, and the national respectability.”³³ Equal to honors conferred by colleges was Hamilton’s election, January 21, 1791, to membership in the select American Philosophical Society.³⁴ That the home-town boy had made good was soon further attested. A committee of citizens, Gulian Verplanck the chairman, “desirous of expressing the sense they entertain of the important Services you have rendered your Country,” had subscribed to have Trumbull paint his portrait to be placed in a public building. Would he please to sit and select what political scene in his career would be most agreeable to him?³⁵ In his affectionate acknowledgment he modestly asked that his picture “appear unconnected with any incident of my political life. The simple likeness of their fellow Citizen and friend will best accord with my feelings.”³⁶ This painting of Hamilton, his youthfulness contrasting with his renown, is probably the earliest authentic one; it hangs in the main hall of the New York Chamber of Commerce. Baron Steuben, who lived nearby, on July 1, 1794, laid the cornerstone of Hamilton-Oneida Academy, and made an address. The institution afterward became Hamilton College at Clinton, New York.³⁷



Speculation

THE financial panic in New York City in the spring of 1792 takes us into maneuvers of speculators in the funds reaching back to and even before organization of the new government. Their notorious doings, as has been said, embittered congressional debates on Hamilton's Treasury proposals. The extent of resentment aroused may not be understood without the fuller recital which follows.

The opprobrious description of "corrupt squadron" of "paper men" and similar censures were applied in two senses. One was blame for taking advantage of the necessities and ignorance of old soldiers and other holders to possess themselves of evidences of public debt at a few shillings in the pound. The immorality of this conduct was betokened in the strenuous efforts in Congress to make a discrimination, in the redemption, between those who had rendered genuine services and those who profited by purchasing depreciated securities. Against this social execration stood legal and fiscal justification. First, the securities were explicitly transferable. The transaction was not fraudulent if between a willing seller and a willing buyer. Second, the economy (comprehending all property owners, farmers, and workers) would prosper only if the public credit were restored. This in turn required that claims be paid to those presenting them, if lawfully acquired. New borrowing would not be possible unless the terms of old debts of the public were honored. Further, public securities could not become the basis of public credit, and of a dependable currency, unless the

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right of transfer was established in fact. Thus the wrong to individuals, if such it was, became a virtue in the community.¹

The other shaft aimed at speculators was that they secured in advance of their operations official information which should not have been disclosed. This was both illegal and immoral, and not to be excused on any ground of eventual social utility. In the invectives of the time the two detractions—reaping where one had not sown and subversion of official trust—were blended.

The first accusation, whatever its force, lay against all speculators for the rise. The second charge of criminal use of official knowledge applied to some of the chief of these brethren but hardly to all of them. Members of Congress who dealt in the debt and advised their friends on the basis of privileged information were culpable, as were those in collusion with them. Robert Morris, Thomas FitzSimmons, and Jeremiah Wadsworth, as we shall see, were thus guilty. Not only were they specially able, because they were of the inner councils, to judge the future, but to a degree they could as individuals, and still more in conjunction with colleagues, produce the results that favored their designs. They could retard as well as hasten the upward movement of prices of the paper in which they operated.²

However, these were not the worst offenders. Debates in the House, where legislative discussion centered, were open and published. Determinations in committee, first or last, must be brought to the floor. Moreover, some palliation must be allowed since the line separating public fidelity and private facility was not then as distinctly drawn as later. The actors were not nice in these matters, nor did the popular conscience demand it of them.

As much may not be said for policy makers in the executive branch of government, in this instance principally in the Treasury. Here decisions on what to recommend were crucial in determining results. Any betrayal of intentions, prior to official communication, deserved the severest condemnation. A Treasury functionary was equally the sinner whether he gambled himself or took others into his confidence for illegitimate purposes. True, what was proposed in Treasury reports must be pondered and resolved in Congress, so there was no certainty beforehand of final details. But in the then state of confusion and unacquaintance of many members of Congress (incompetence in fiscal concerns would be

too hard a word), what was propounded by the executive was in fact of major influence.

It may be said at once that William Duer, while Assistant Secretary of the Treasury, was guilty of the gravest malfeasance. He was up to his eyes in speculation in the public debt himself and was hand in hand with intimates similarly engaged. His papers and theirs proclaim it. His turpitude is confirmed in his fate—his financial failure precipitated a money panic in New York and landed him in prison. His misconduct might have had even wider effect except that he early resigned from the Treasury and he was distrusted by numbers who knew him well.³

The present inquiry has found no dishonesty attaching to anybody else in the department unless to a minor employee, who was discharged and who sought to cover his own misbehavior by accusing the secretary.⁴ On the contrary, at a period of inherited disorganization, when deception of many sorts would have been easy, members of the staff preserved their good reputations; they seem to have left office poorer than when they entered. While Hamilton himself was often loosely charged with profiting hugely from personal dealings in the funds while secretary, on the two occasions when such imputations were brought in Congress he was perfectly exonerated. Nor has any evidence come to notice since which would question the vindication in his lifetime.⁵

The only query here is whether Hamilton should be blamed for appointing Duer to the second highest office in the Treasury⁶ and for tolerating his conduct during six months. When Duer was named his friends knew that he meant to remain only briefly. Constable told Robert Morris, "Duer talks a good deal of going to Europe next fall, at any rate he will not continue in office longer than that period."⁷ Duer had strong pretensions to the post. As Secretary to the old Board of Treasury he was presumed to have the best knowledge of particulars of the financial confusion which was to be corrected. He was spoken of to head the Treasury.⁸ When Robert Morris unselfishly became Financier, he rallied Duer for not taking an assignment under him,⁹ and Morris may have commended Duer to Washington and Hamilton when the Treasury was organized under the new government. He was considered an ingenious, successful financier, gave every evidence of being wealthy. After service as a patriotic legislator, he had been an army con-

tractor in the Northern department, was trusted by Schuyler, had been approved by Hamilton when the latter was Receiver of Continental Revenue for New York. He was well connected socially; George and Martha Washington attended his marriage to the daughter of Lord Stirling; Hamilton's brother-in-law, Church, had been introduced to the Schuylers by Duer. He was Hamilton's senior by eight years, and had come to America from his native England by way of the West Indies, which had been Hamilton's home in boyhood. Wolcott, who succeeded Hamilton in the Treasury, was hardly known to the secretary when he was appointed auditor. Duer seemed, therefore, to be fitted as principal adviser to the Secretary of the Treasury when rescue measures were to be discovered.¹⁰

Hamilton's conduct toward Duer in the sequel is less explainable. The secretary could not have been ignorant of Duer's speculation in the funds before he was named (indeed while in the Board of Treasury), and after he was in an official position that should have ended such indulgence.¹¹ Hamilton's own code strictly forbade personal dealings which stood to benefit from his official actions. Hamilton may have wished for Duer's earlier departure, but considered that a break would produce suspicions discreditable to the Treasury at the outset, and therefore be injurious to the country. When Duer did resign, Hamilton thought it the best course.¹² However, he followed his old associate with friendship, tried to limit the mischief he was doing to himself and others by his financial indiscretions, and afterward secured his temporary release from prison.

Americans speculating in paper on a large scale were few in number, worked in groups, and some wished for greater concert to manipulate the market. Generally they were merchants in the coast towns accustomed to risks in the fitting out of trading voyages and purchase and promotion of vast acreage of wild lands. While our China trade was opening, European demand for American wheat was brisk, and opportunities offered in banking and domestic commerce, certain businessmen were captured by the prospect of quick gains by corraling old public debts likely to benefit by the new government. Their whole dependance was on the faith of the nation under the Constitution, or, more precisely, on Federalist measures expected to be proposed by the executive and embraced

by Congress. They had no regard for state action respecting state debts. The economy of the country would improve in any event, indeed was already conspicuously on the upswing from the slump that had helped induce adoption of the Constitution. But the focus of the speculators was of course on the fate of the debts, state and national. Their hazard was from the powerful sentiment, chiefly in the South but diffused elsewhere, for limiting the reform intended by the Constitution in all ways, mainly by scaling, possibly by repudiating, the debts. In the best case of complete performance of old promises they stood to gain hugely by purchase of securities and scrip from 2 shillings 6 pence per pound up to twice that amount. In the worst event, ruling out repudiation, they could not lose more than their pains, for they could expect to receive at least what they had paid.¹³ Their main hindrance was in lack of capital with which to operate. What they had, little enough anyhow, must be withdrawn or withheld from their mercantile enterprises, which was difficult because of prior commitments.¹⁴ Manifestly their reliance must be on credit while the securities they bought moved upward. They demanded the longest credit possible from sellers, but this was short since these same sellers were under compulsion of their needs. Brokers, of whom numbers sprang up,¹⁵ depended on commissions in buying and selling for others, though they also operated for themselves.

The method of the speculators was to buy securities of whatever sort only if they could not borrow them for their operations. This conserved their insufficient liquid capital and avoided sale of commercial assets and lands which was difficult or impossible. Thus William Constable agreed with Andrew Craigie on "Terms to be held out to the Lenders of Funds. . . . We shall make an advance of 3/4 in the pound in Cash and give Security for the return of any sums borrowed (?) in any time which may be agreed not less than 12 M^{os} the monies to be free of Interest to the Parties, they also intituled to receive such Interest in their Debt as the U.S. might from time to time pay."¹⁶ Three weeks later we learn how securities, thus at command, were utilized. Stock had been to nearly 9s. 6d but had dropped to 8/6, Nicholas Low the only buyer in the market. Constable would venture with Morris' concurrence "to sell a part of what we might borrow, if 10/ could be obtained & hazard the replacing it. If the plan shall be adopted for a general

Consolidation the increase of the q^{uity} must fall the mkt[;] if it should be rejected the Debt will be without any provision . . . for the payment of the Interest as . . . the Impost will by no means be adequate & the different States unless their Debts are comprehended will not consent either to an Excise or any direct tax—in either Case the Contin^l Debt will fall—& of course We may replace at a more reasonable rate. I know the hazard that attends such an operation but I think it may be risked.”¹⁷

In calculating on the rise, which was the usual thing, the speculators would sell their borrowed securities, paying the owners the (lower) premium price when borrowed and retrieving the collateral which had been pledged. Larger dealers, when they could not do better, acted as agents for European speculators.¹⁸ William Constable complained to his correspondent in Europe that commissions were earned only by straining the credit of the American agent. Stocks “are paid for every shilling on the Nail & we only draw on transmitting the Certificates, so that in fact we are always in advance.” In this situation bank credit became of first importance. The principals in Europe must be solicited to acquire forty shares in the Bank of New York in the name of the American agents. This “would be a great object as we should then be able to make what Discount we might require, & acquire a decided influence in the Direction.”¹⁹ Such a bland admission, given privately, went a distance to validate the charge of critics that banks, especially the Bank of the United States, were dominated by stockjobbers and denied credit to worthy merchants.

The zeal of the speculators to know the future made them pounce upon every indication of who would be named to offices in the Treasury, and then to cultivate the confidence of these persons. Andrew Craigie, of Massachusetts, who was a king of this tribe, put it bluntly to one of his colleagues: “The public Debt affords the best field in the world for speculation, but it [is] a field in which strangers may easily be lost. I know no way of making safe speculations but by being associated with people who from their Official situation know all the present & can aid future arrangements either for or against the funds.”²⁰ As mentioned, that was hardly the day of reticence in turning friendship with public men to personal financial account. The gallant Henry Lee of Virginia, who had known Hamilton through the war and since,

and was the pattern of a gentleman, extended his good wishes within weeks after Hamilton was made Secretary of the Treasury. "From your situation you must be able to form with some certainty an opinion concerning the domestic debt. Will it speedily rise, will the interest accruing command specie . . . , what will become of the indents already issued? These queries are asked for my personal information, perhaps they may be improper, I do not think them so. . . ." He would not submit Hamilton to an impropriety. Hamilton copied his answer, so labeled, on the back of Lee's letter, an honorable precaution for posterity: "I am sure you are sincere when you say you would not subject me to an impropriety; nor do I know there would be any in my answering your queries. But you remember the saying in regard to Caesar's wife. I think the spirit of it applicable to every man concerned in the administration of the finance of a country. With respect to the conduct of such men, *suspicion* is ever eagle-eyed. And the most innocent things may be misinterpreted. Be assured of the affection and friendship of your A. Hamilton."²¹

Anxious surmises concerning organization of the Treasury and who would be placed in the several posts were nearly accurate from the start. Andrew Craigie wrote to Europe, "such is the Harmony that pervades the [new] System [of government] that it is impossible but public credit must soon be put on the most respectable footing[.]" In forming the great departments, the Board of Treasury would be abolished in favor of a secretary, "comptrouler," and receiver. "It is understood that M^r Hamilton will be at the Head & M^r Oswald Comptrouler. D[uer] probably will be secretary to Hamilton."²² However, a month later he was unsure of this gratifying outcome. He informed the Van Staphorst and Hubbard, Amsterdam, "in the commencement of our Government . . . there will be . . . struggles for places under it. Great exertions will be made to put Mr. Hamilton at the head of the Treasury & to make Mr. Duer his assistant. The public mind has for some time contemplated the above Characters for these appointments, but in my Opinion the former is not absolutely determined [crossed out "the president has not absolutely determined in favor of the former"]. I consider it as very doubtful, & as to the latter I am of Opinion his appointment will not be within the . . . Treasury but in some other Department."²³

Craigie's inquiries about appointments were not for nothing, for, said he, "It is my object to cultivate & improve such official connections as shall give me the best opportunity [*sic*] for acquiring information & forming just opinions respecting the finances & Politicks of the U. States & it will give me pleasure . . . to serve your views."²⁴ The doubt about Duer was not from willingness to give him a place in the new government but because "he sometimes appears to think that he can do better without one. It will very much depend on himself. . . ."²⁵ That could only mean that in official position he must sacrifice his speculations.²⁶ He ended by combining them.

In June, Constable hoped Duer "may be Secretary to the New Treasury,"²⁷ but next month he assured Gouverneur Morris, in Europe, "your Friend Hamilton will I think be Secretary of the Treas in w^h case we may count upon the most Efficacious Measures being adopted to put the Debt on a respectable footing, & to provide for the punctual payment of the interest."²⁸ Thomas Fitz-Simmons wrote from Congress in New York, September 7, 1789, "it is now *certain* that Hamilton will be Nominated by the Presid^t as Sect^y of treasury and I suppose the appointment will take place in the next week."²⁹

The staffing of the Treasury being determined, the speculators were consumed to discover, by the most direct means, the particulars of expedients for retrieving the public credit that would be proposed to Congress by Hamilton and his associates. The outlines of the system had been guessed months before. These were shrewd men, knew from past experience and from public advocacy what was wanted, and shared opinions afloat in Boston, New York, and Philadelphia. Back in February, with the new government "fairly in motion within 3 months," the debt would be funded at 5 per cent and in two years sell on the Amsterdam exchange at 75 per cent. In funding, interest on the domestic debt must be reduced but would be paid punctually; "indeed my only apprehensions are that the arrangements will be taken so early as to raise the price in the market before ourselves & Friends can make such extensive purchases as I could wish. . . ." Most to be desired was "that some delays may be created to the Operations of Govern^t which may check the public Expectations for a time."³⁰ Soon the same observer was sure "the State Debts will

be consolidated with the Domestic Debt of the Union. . . ."³¹ Restrictive duties would be laid on foreigners bringing in goods in their vessels.³² As all of the state debts would "be funded in the general Mass, . . . the cheapest is the best to speculate in." The prize was the South Carolina debt; as no provision has been made for the interest, it had got down to 2 shillings in the pound.³³ He had authorized his agent in Charleston to buy \$80,000 of bonds at 4 shillings, drawing on him at ten days' sight or, if necessary, he would send half the sum in cash.³⁴ Benjamin Lincoln had Sedgwick's opinion: "If ever we intend to wear the garb of a nation we must assume . . . the debts of the several states. Every person should be glad to look up to the general government with perfect confidence," and when the nation laid hands on the excise (the expected source of interest for the state debts) the state creditors would eagerly convert.³⁵

Soon Noah Webster was informing an American speculator in Amsterdam that the Treasury was organized and now he should go into action. The debt would be funded at 4½ per cent and a National Bank established to receive the revenues and pay the interest, lending to government if taxes fell short. He did not go far to get his news, for "this is the outdoor talk of Col. Duer, the Vice-Secretary."³⁶

Hamilton had not been in office more than a couple of months before these financial schemers began to intimate in their private correspondence that their forecasts were based on something better than general optimism. Constable's cozy talk of "*those in the secret*"³⁷ may not have been specific, but, predicting to an English associate a rise in American stocks, he suggested more. "My opinion is founded on the best information. . . . I cannot commit to paper my reasons, nor explain from whence I have my information, but I would not deceive you."³⁸

The same speculator was soon revealing sources of his inspiration. Constable, besides being a heavy investor himself and buying on commission, was a contact man or go-between for a circle of eight or ten, in America and in Europe, of which Andrew Craigie had the most ready capital, but which included Robert and Gouverneur Morris, Duer, FitzSimmons, Dexter, and employed agents visiting or stationed in Virginia and the Carolinas. Constable had long known Hamilton—in the Bank of New York, in local politics, and

as a client.³⁹ He is often quoted here not only because his extensive papers are available but because of his activity and strategic position.⁴⁰ He posted Robert Morris on developments: Eveleigh (to be Comptroller) has arrived, would appoint Handy his first clerk. Duer talked of quitting the Treasury within a year and going to Europe. "I dined with Hamilton on Saturday. He is Strong in the faith of maintaining public Credit, & is at present employed in an Excise Scheme, & as the Impost will not produce 1½ Million nett revenue, I tried him on the subject of Indints—'they must no doubt be funded tho it cannot be done immediately' was his remark, 'they must all be put upon a footing,' meaning these as well as the funded Debt. In short I am more & more of opinion that they are the best object at present."⁴¹ It may be that Hamilton, in the intimacy of his own home, disclosed too much to a friend who had a pressing ulterior motive. To decline any conversation on the subject of Treasury intentions would have been difficult, given Constable's unabashed probing. On the other hand Constable himself implied that Hamilton spoke mainly in generalities. The suggestion of funding the indents was to prove, in fact, problematical because of objections in Congress. Also, in the same letter Constable reported that Hamilton was not receptive toward a plan they had to buy Church's (bank) stock at a discount. That the secretary gave the New York merchant and speculator nothing specific appears in the latter's remark to Robert Morris soon thereafter. They were gathering \$100,000 in securities to send to Europe by the first vessel departing. He had "no doubt our Secretary of the T—— will take up the consolidation system. . . ."⁴² Securities had risen 50 per cent since Hamilton was made secretary. The Dutch bankers had written Hamilton that the loan for one million was full "& that the U.S. have as much Credit as any nation in Europe." News was just received that North Carolina would surely come into the Union, which rendered the paper of that state, at 1s. 10d. with four years' interest due, a most desirable purchase. These developments sent Constable back to Hamilton who, he concluded, "does not intend to take up the State Debts immediately—a thing devoutly to be wished as it will afford us some opp^y [opportunity] to get hold."⁴³

As was to be denounced in Congress by Jackson of Georgia, Burke of South Carolina, and others, the darling object of specu-

lators was Southern state certificates, "such as may have been issued early in the war & have drawn no Interest, preferring [*sic*] always such as have been issued to the line of the Army. . . ." In mid-January when recommendations of Hamilton's first report on the public credit were guessed, Constable looked to a market in Europe for the South Carolina debt, nearly £1,000,000 said to be at 4s. "I wish to God you and your friends would give me Orders to Strike at a large sum of it."⁴⁴

Duer in his first two months in the Treasury had been "working with Jno Hopkins at buying up the soldiers' pay. . . . He may not only incur censure but be turned out." However, he would further the interests of Robert Morris if he could do it with safety.⁴⁵

As the time for submission of Hamilton's first report on the public credit, or "the budget" as some called it, approached, excitement and the value of the debt mounted together. This was "owing to the faith placed in the integrity and abilities of our Pitt, Col^o Hamilton. . . ."⁴⁶ People's expectations were "all up with respect to the Funds—6/8 [6s. 8d.] Indent, 8/6 Finals . . . the Debt of S^o Carolina has risen to 4/."⁴⁷ The professionals waited impatiently for quorums in House and Senate.⁴⁸ With the secretary's report imminent, everyone was "in pursuit of" the Continental paper, so those closest to the situation made desperate last-minute endeavors to garner state certificates. ". . . after the Report . . . shall be published it will be too late to do anything."⁴⁹

The report was submitted January 9 but would not be read until Thursday the 14. But already those considering themselves insiders knew its salient features. Hamilton provided for the Continental debt absolutely, the state debts contingently, "but one of his friends with whom I have conversed thinks it will be most safe to put both descriptions on the same footing and by this means He will secure the adoption of his plan by Combining the state Creditors & their Representatives without whose aid as far as We can count noses it will be rejected[.]"⁵⁰ Constable, on tenderhooks for the arrival of Craigie and Robert Morris to advise on their joint operations at this climactic moment, missed hearing most of the report read (as the bank claimed his attendance), but he grasped what confused legislators missed. He hastened to dispatch particulars to all who could aid his schemes. He emphasized what was music to his ears, that the report "strongly reprobates the

idea of discrimination between original Holders & Possessors of the Debt," urging "the strictest Justice to all the public Creditors."⁵¹ In days following when debate on the report was postponed, Constable was in a quandary. All the debt must rise, though discussion in Congress would "affect the price of securities much." The South Carolina debt, lately as low as 11 for 1, would be only 4 for 1 by the time his purchasing agent could be informed by a vessel leaving New York January 17. Money from Europe was needed to buy on this rising market, as bills on London were at a "wretched level" under par and even at that could not be disposed of. He eagerly canvassed opinions of legislators, and early in February, in advance of debate, accurately predicted that the report "will undergo considerable animadversions & experience great Opposition, but must in the end be adopted." Robert Morris was with him but was anxiously settling his old accounts at the Treasury, and declined counsel. However, "Our friend [Morris?] promises that when the Bill comes up in the Senate He will advise me when to strike."⁵²

It is difficult to summarize the reception of Hamilton's momentous report by the people at large. From newspapers, private letters, and financial records four general observations apply:

1. An outline of the report did not appear in the newspapers until a week after the document was taken up in the House. This abstract, however, running to a half-column of fine print, was a professional job, possibly prepared by Hamilton. It gave purposes of the report in an over-all view, as well as principal features.⁵³ Congress itself ordered printed only 300 copies of the report for members and to send to the states and it was advertised for sale in New York January 23.⁵⁴ Newspapers began to print the report in installments a few days thereafter. The *Pennsylvania Gazette* (Philadelphia) as an opener devoted to it the entire front page and two-thirds of the next.⁵⁵ Papers of any pretension carried the report *in extenso*. For that period of slow communication this was prompt publication. Similarly, when debates commenced printers reported them at greater or less length.⁵⁶ The *Congressional Register*⁵⁷ must have been widely sent to eager subscribers and constituents.

2. For a considerable period after it appeared, the report, except for its main proposals of funding and assumption without discrim-

ination, and promise of a national bank, was mystifying to all but the best initiated. The argumentation was not readily grasped; perhaps because from length and subtlety it was not thoroughly studied.⁵⁸

Viewing the uncertainties in honest minds, one wishes, at this late date, that Hamilton had made the report shorter and simpler for the sake of winning friends in Congress as well as out of it. On the other hand the subject was vexed in a hundred ways politically and economically. He did reserve the national bank, now announced, for separate treatment. The summary of the report helped, and had Hamilton been allowed to come before Congress in person, to answer questions, debate could never have been so befuddled.

3. As a result of subtlety of the subject—or of the passions that invested the issues—the common discussion was apt to spring from prejudice. “A Farmer” who frequently contributed to the *Pennsylvania Gazette* blasted “The whole report of the *Secretary* (as he so often stiles himself;” it was “so flimsy, and . . . full of absurdities, contradictions and impracticabilities, that it is to be hoped it will be voted out of Congress without a dissenting voice.” Hamilton’s idea of national honor was “phantastical.”⁵⁹ “The War-Worn Soldier” thanked Madison for vindicating the claims “of the Defenders of our country, whom necessity obliged to sell their notes . . . at 2 s. for 20 s.” The poor soldier must now pay to the speculating gentry three times, in interest, what he got for the certificates. Madison, champion of widows and orphans, was “fearless of the wreathing [*sic*] of bloodsuckers.”⁶⁰ Jealousy of foreigners and anti-Semitism had their spokesmen. Would we cheat our meritorious own to enrich speculators of England and Holland?⁶¹ And Cincinnatus: brokers said not to pay full value to present holders would forfeit borrowing a single farthing in future. But if we do not discriminate “will we ever be able to obtain a soldier? Are *farthings*.....to be preferred to soldiers? . . . a ragged Continental . . . is of more value . . . than a host of *uncircumsized* Jews.”⁶² Money would be attracted into speculation and center in the cities, to the hurt of farmers, small tradesmen, and the price of lands.⁶³

At the same time, sober paragraphs upheld the recommendations of Hamilton, reproved shrill critics, reminded of the false gods of

Rhode Island and Daniel Shays.⁶⁴ Also, some writers, of different cast from those quoted above, neither condemned nor praised out of hand. One thought the secretary too rigid in his prescription for national honor, while another held the contrary belief that in his imperfect composition with creditors he yielded too far to fear of popular disapproval.⁶⁵

4. In spite of heats in Congress and sallies in the newspapers, large numbers of holders continued to part with their securities at a fraction of the value which Hamilton's plan, if approved, must ensure. Maybe they were in remote parts where they did not hear the news, or did not comprehend it, or their necessities compelled. As late as March 3 Constable's agent was buying South Carolina domestic debt at 7 for 1 for a total nominal value of \$100,000.⁶⁶ Craigie submitted lists⁶⁷ from that state and elsewhere to be registered. At a period in the spring, doubts whether Treasury proposals would carry dropped the prices of securities generally, and Robert Morris advised his friends to hold off buying because they would be lower.⁶⁸ It is questionable whether knowledge of the tides of debate or inertia counted for more in Virginia, the Carolinas, and Georgia.

The operators in every sort of paper, while in no wise deterred by the hard things said against them, were frequently disappointed from lack of money or credit,⁶⁹ sloth of agents,⁷⁰ and miscalculation.⁷¹ Though the secretary was entering the market "to keep up the price of the Debt . . . which he is determined shall not long remain under par,"⁷² hard-pressed speculators could not benefit. They were obliged to sell in order to replace borrowed securities, and had not the opportunity of buying in the rising market.⁷³ Of course sometimes what one speculator lost another, keener or more resourceful, gained.⁷⁴ On the whole, said Craigie, "I have done pretty well in my speculations."⁷⁵ When the market slowed, Constable was content to sell when he could make a net profit of 10 per cent.⁷⁶ The increasing volume of securities trading was shown by the number of brokers advertising their services.⁷⁷



Money Panic

It is not surprising that prosperity ushered in with the new government produced speculative excesses. Sudden revival became overconfidence. European demand for American grain and commencement of our direct commerce with Asia gave substantial stimulus in every way healthy. Even the expectation of wild lands rising in value might have remained within bounds. But the optimism inspired by our fresh political start was too intoxicating. Funding of the debts opened opportunities long anticipated and greedily seized. Prospect of mounting prices of securities was sustained by hope of domestic demand, but more by the vision of avid European buyers. Dutch money was coming here, and agents sped to England and the Continent to peddle American paper. So startlingly did prices rise that men withdrew from land promotion and from shipping to put more in public and bank stocks.

The financial panic, confined principally to New York City, which came to its crisis in April, 1792, was a source of concern but not of alarm to the Secretary of the Treasury. He would have wished prosperity to continue unbroken. Imprecations against his Treasury policies, and against him personally, for the rising tide of speculation helped embitter his differences with Jefferson. The debacle, involving as it did chief investors in the Society for Useful Manufactures, signaled the suspension of that undertaking to which he had devoted effort and hopes. The credit stringency put a strain on the Bank of New York, already threatened by the project of a rival private institution, and fearful of the competition of the

New York branch of the Bank of the United States. The conflicting interests of the two banks to which the Treasury was committed—to the local one morally and to the national one both morally and legally—proved embarrassing. Failures of friends, notably Duer, Dewhurst, and Macomb, distressed Hamilton personally. The episode had unfavorable echoes in the European money markets where the Treasury was borrowing. The panic coincided with the campaign to displace George Clinton by John Jay in the governorship of New York, in which Schuyler was an active mover and Hamilton only less so. To cap all, Hamilton at this time was secretly plagued because his liaison with Mrs. Reynolds had resulted in his blackmail by her husband.

However, he remained collected, and alleviated the pressure on debtors and bolstered the price of public stocks by admirably managed purchases of the Treasury for the sinking fund. Without condoning private error or minimizing the public risks, he met the misfortune calmly and contributed to make it short-lived. The same commercial reasoning which prepared him for such a flare-up of speculation following his success in funding the debts and founding banks, enabled him to apply judicious treatment in the unhappy event. He knew that measures necessary for restoration of the national economy would supply opportunities for individual gain likely to be abused. Thus he was not shocked, and resolutely summoned remedies. With his dependence on—indeed his encouragement of—free will of profit-seekers, it is hard to see how he could have forestalled excesses that brought the designing and the unwary to grief. Hamilton's policies at that beginning stage were bound to be promotional rather than corrective or monitory. The very facilities for prosperity which he provided invited mischief-makers. One critic expressed what became a common charge. Hamilton's earlier assurance of wholesome operation of the Constitution had proved a snare and delusion. "He has devised systems which have already produced consequences the most pernicious to the interests, honor and happiness of our country; . . . the new created, associated . . . interests of speculation, commerce and manufactures" would prostrate the equal rights of yeomen at "the shrine of Mammon and Ambition."¹

It was the failure of William Duer which brought down the speculative fabric in New York. In his earlier career esteemed as

a patriot of probity and long enjoying the reputation of an ingenious financier, his story ended in universal discredit and debtors' prison. Any man as venturesome as he could miscalculate his chances of success, but Duer became a rogue who played recklessly on the trust, public and private, reposed in him. His manipulations in Western lands, manufacturing, bank and government stocks led to desperate deceptions and miserable exposure.²

Duer's wife ("Lady Kitty," daughter of Lord Stirling), who was to be chief sufferer from his derelictions, could not be ignorant of the danger of his distraction in a complication of schemes. She relayed a business message to him at Philadelphia, then read him "a Sunday night lecture." ". . . I fear . . . your mind will be too much harrassed with the variety of business & speculations you undertake to allow you . . . inward quiet. . . . I cou'd wish: for the sake of your own Happiness that you cou'd divest yourself of some affairs[,] entangled in a multiplicity of perplexities[,] & follow some *one* steady line. . . ."³ Samuel Chase, of Maryland, who had speculated and was emerging from debt, sent Duer a later warning: "I hear of your prosperity, and rejoice at it. I know the activity of your soul, and fear your views . . . and schemes are boundless. . . . I sincerely wish that you would set limits to your Desires. If you had drank deep, as I have done, of the bitter cup of adversity, you would never Risk Independence again. May the voice of friendship . . . entreat you to stop in time. . . ."⁴

Duer's hazardous involvement at this time is evident in his plea to Constable to endorse for him further. "I have a Note Indorsed by you to day for three thousand Dollars, and have no less than ten thousand to provide for; of which upward of seven are on account of Anticipations for the Scioto Affair; I am reduced to Necessity of Claiming your aid . . . at the Bank."⁵ William Playfair, in Paris, who had sold Scioto lands of Duer, Cutler, and Sargent to French colonists, wondered where to turn for his commission. He begged Hamilton's intervention "to . . . Prevent the affair from terminating in the Ruin & disgrace of those who have begun it." Barlow, the chief Scioto agent, who knew no French, undertook to dispose of three million wild acres which he had never seen and which did not belong to his principals, for they had not paid Congress. In spite of these perils of title, the French Revolution created a brisk demand. Playfair's colonists had vanished into the interior

of America, their friends vainly pressed Playfair for news of them, and "Barlow . . . has run away in debt."⁶

Soon Constable admonished that Gouverneur Morris, in Paris, underestimated the rise of American stocks by as much "as we exceeded the old World in Youth & vigour." The 6 per cents were at 17/8; South Carolina debt had gone from 2/ to 14/. "Our Go[vern]ment becomes daily more respectable & our stocks rise fast to Par."⁷ Whether or not Constable had trouble in buying the appreciated securities to cover his commitments, he lamented next day, "Duers' [*sic*] speculations always turns out wrong & He constantly involves his friends. He has . . . recently brot me into a Scrape w^h will Cost 25,000 Dlrs to get out of, *if ever the money is paid.*"⁸

Duer and Alexander Macomb had made a formal agreement for joint speculations "in the Debt of the United States and in the Stock of the Bank of the United States & Bank of New York" during the year 1792.⁹ Immediately they bought 290 shares of the Bank of New York,¹⁰ and ten days later these were increased to 400.¹¹ Duer led Macomb to believe that these shares, low at the moment, would soon rise because Hamilton was anxious to merge the branch of the Bank of the United States with the Bank of New York, the branch disappearing.¹² At the same time Duer gave most secret orders to Walter Livingston to sell short a hundred shares of the Bank of New York which Duer held privately. Apparently he was persuaded that Hamilton did not expect discontinuance of the branch. So far as one can make out from the cloudy correspondence, Duer intended that Macomb should remain bullish, helping to keep up the price until Duer could make a good contract for delivery four months hence when shares would have fallen.¹³

Several reported to Hamilton from New York that "The Bank Mania rages violently in the City."¹⁴ One proposal for a new bank, "being a child of darkness ended in smoak, but has set the town in some disorder & been the means of numbers associating for the purpose of adding another Bank to the City." Led by the Livingstons, these were petitioning the legislature for a charter. The same persons added to the confusion by attempting to persuade influential legislators "to make a Bank of the money of the State. . . ."¹⁵

The clamor for more banks was coupled with anti-Federalist

political designs; "it is made an engine to help the Governors election." Schuyler (and Hamilton less publicly) had put up Robert Yates to supplant Clinton, partly to thwart the ambitions of Burr for the office. But Yates, despite efforts to keep him in the race, had declined, and Jay had agreed to challenge Clinton. "The obstinacy of Gov. Clinton, . . . interference of Burr & the tergeversation [*sic*] to the Chancellor, confound, divide & distract the City."¹⁶

It was in this stir that the *New-York Journal* castigated Hamilton's perversion of the public. He himself loved his country and despised gold, "but . . . this great minister seems not to be so skilful in the science of human nature as his genius and philosophy deserve—hence all his . . . plans have tended . . . to meliorate the pockets, and not the heads and hearts of the people." He had "talked to them so much of imports, . . . funds, . . . banks, and . . . manufactures, that they are considered as the cardinal virtues of the Union. Hence liberty, independence . . . have been struck out from the American vocabulary, and the hieroglyphs of money [are] inserted in their stead. . . . the ordinary walks of industry begin to be loathed, and are about to be abandoned for the *golden* dreams of speculation. . . ." The nation was "on the verge of . . . ruin, by reason of prosperity. . . ."¹⁷

Hamilton's modes of meeting the increasing excitement have been reserved to this point so they may be given without interruption. His means were purchases of public debt for the sinking fund, precautions in favor of the Bank of New York, and private warnings to his friend Duer. As early as mid-August 1791 he was disturbed by the effect "the imprudent speculations in bank scrip may produce. A principal object with me is to keep the [public] stock from falling too low in case the embarrassments of the dealers should lead to sacrifices. . . ." For Treasury agent in these operations he chose William Seton, cashier of the Bank of New York, because he knew the market and could defend against strains on the bank. Hamilton's exchanges with Seton during critical months were many, confidential, and mutually satisfactory. Seton was a Scots merchant who, as a Loyalist, remained in New York during the Revolution, and soon afterward was named to the most active post in the new bank. He represented a class of prudent businessmen whom, in spite of Tory sympathies, Hamilton strove

to enlist for the good of the independent nation. Hamilton's solicitude for and dependence on the Bank of New York, evident in numerous ways, was one with his trust in Seton.

Following a resolution of the trustees of the sinking fund, he asked the Bank of New York to put \$150,000 at Seton's disposal for purchases of public securities as occasion required. He was to buy 6 per cents at par, or 20s., 3 per cents at 12s., and deferred debt at 12s. 6d., or below "if such should unfortunately be the state of the market." It must be known that Seton bought for the public. Hamilton instructed Seton "in great confidence" that his purchases should aid those who supported the funds as against those who would depress them.¹⁸

On reports in Philadelphia that Duer, Constable, and others were running up Bank of United States scrip to artificial heights, Hamilton immediately repeated his caution to Duer lest he damage both his purse and his reputation. "You are sanguine, my friend. You ought to be aware of it yourself and . . . on your guard against the propensity." Hamilton's friendship for Duer and "concern for the public cause" were both alarmed.¹⁹

In three weeks the secretary devoted a further \$50,000 to Seton's purchases; Seton should also let it be known that the sinking fund was buying at Philadelphia.²⁰ It is worth noting that in the midst of—for that day—large operations for the Treasury, Hamilton was obliged to borrow from a friend (Troup?) "twenty dollars for a few days." He had put himself out of cash by paying (for the Society for Useful Manufactures) L'Enfant's bill.²¹

Seton was worried for the Bank of New York over competition, existing and potential, of the branch set up in that city of the Bank of the United States. With credit in fevered state, what if government deposits previously enjoyed by the former were shifted to the latter institution? Hamilton replied with what comfort he could give. Strange to say, the policy of establishing branches of the Bank of the United States was entered upon and concluded without Hamilton being consulted, and against his opinion, had it been asked. Ultimately the secretary must place the public funds in the branch, but the transfer would be so conducted "as not to embarrass or distress your institution." If no merger was accomplished, Hamilton hoped for friendship's sake that Seton could take his fortune with the branch, "which must preponderate."²² Two months later the

secretary offered further assurances. Glad that the Bank of New York had rejected coalition with the "hydra" of private bank projects newly arisen, Hamilton would labor for a better union, evidently with the branch of the national institution. In the meantime, until the present storm was weathered, Seton's bank should not be deprived of public monies unless by the secretary's special direction. He ended, "Be confidential with me; if you are pressed, whatever support may be in my power shall be afforded. I consider the public interest as materially involved in aiding a valuable institution like yours to withstand the attacks of a confederated host of frantic and . . . in too many instances, unprincipled gamblers."²³

- 1. Vice President John Adams, trusting more than Hamilton did to "the scientific principles of . . . political economy," counseled that the securities market delirium must mount to its own cure. "The only way to get rid of speculation is to hasten the rise of our stocks to the standard beyond which they cannot ascend. . . . The bad morals of the people brought them into this situation. . . ." Murmurs were useless against venturers in lands and funds who of course bought and sold for gain, not for public benefit.²⁴

The correction Adams looked for may have set in about March 10, 1792, if we may rely on the dating of the panic by Walter Livingston, who should have known.²⁵ An abstract of notes signed and endorsed by Walter Livingston in favor of Duer as of that day shows a total of 28 notes amounting to \$203,875.80. This was exclusive of notes for shares in the manufacturing company (SUM), \$12,360.37.²⁶

Duer was jailed at instance of his commercial creditors, but his debacle was hastened when Wolcott, comptroller of the Treasury, instructed Harison, the district attorney of New York, to enter suit against him for debts owing the government since before the Constitution.²⁷ Duer in New York learned from Wadsworth that news had reached Philadelphia that he had stopped payment. This was "with Risque to a certain Description of Notes, which were issued by my agent during my absence. . . ." He was setting out immediately for Philadelphia, but sent Hamilton this plea by express: "For Heavens sake, Use for once your Influence to defer this [suit that will be brought against me] till my arrival, when it

will not be necessary. my Public Transactions are not blended with my private affairs. Every Farthing will be immediately accounted for. Of this I pledge my Honor. If a Suit should be brought on the part of the Public, under my present distress Circumstances, my Ruin is complete."²⁸ Duer's plea to Hamilton to forestall the suit came a day too late, the comptroller's instructions having gone off. Hamilton, "affected beyond measure" at his friend's plight, was powerless anyhow. His hope that this prosecution might not expose Duer as insolvent was vain. If Duer could retrieve his fortunes, Hamilton would lecture him on past sins. If worse was to come soon to worst, plunging deeper was no remedy. "Have the courage to make a full stop. Take all the care you can in the first place of institutions of public utility, and in the next of all fair creditors." Hamilton ended with expressions of affection, no matter what befell.²⁹

Duer struggled in the toils, but could not extricate himself. Philip Livingston, appealed to for rescue, replied that he had his own troubles. "You ask me to assist you with ten thousand Dollars, on Geo. Lewis's Notes. I believe the thing impossible. . . . I have payments to make myself today, tomorrow, & Wednesday. . . . I sent out the Jew Brokers" to pledge stock for loans, with no success; if this ill luck held, he must sell bank shares or stock for what they would fetch.³⁰

The eternal optimist, or by now the confirmed trickster, Duer assured his principal dupe, Walter Livingston, that he had enough property to enable him to take up all of Livingston's engagements on his account. This was March 22, 1792,³¹ and the next day Duer was arrested for his debts. Still breathing confidence, he found even comfort in his "situation." "I am now secure from my Enemies," he cried, "and feeling the Purity of my heart I defy the world."³²

Comments on Duer's downfall ran the gamut, from the restraint of Jay to the recrimination of Madison. Jay regretted the consequences of Duer's misfortunes, which "have affected all money operations here."³³

Madison reported to Edmund Pendleton, "The gambling system . . . is beginning to exhibit its explosions. D[uer], . . . the Prince of the tribe of speculators, has just become a victim of his

enterprizes . . . and . . . every description of persons, from the Church to the Stews, are among the dupes of his dexterity and the partners of his distress."³⁴

For his part, Hamilton did not stop to lament or censure, but stepped up purchases of stocks for the sinking fund. Wanting to support the market, and not have the government take advantage of distress, he directed Seton (March 25, 1792) that if the 6 per cents should sink below par he should nonetheless buy at par to the extent of \$50,000. He must not declare he acted for the public (though this would be inferred and have its beneficial effect) for the trustees of the sinking fund had not expressly authorized this tactic. This was Sunday, and Hamilton could not get their fully expected consent. If possible, Seton should make his bid at auction, as the salutary result would be quicker than through private transactions. Perhaps Seton should buy in small quantities, from time to time, and not all at once, for maximum encouragement; this method had been found serviceable in Philadelphia. As a further buttress, Seton could announce that the Dutch were lending the United States three million florins at 4 per cent. This news had just arrived from our minister, Short, at Amsterdam, dated December 28. This meant foreigners were confident of our credit. Why should our own people sacrifice their holdings, mistrusting the government because Duer had failed? Hamilton recited the flourishing condition of the Treasury. The scramble for cash would be allayed if the banks, within prudent limits, granted time for paying up, and individuals could reduce the pressure by giving mutual credit to each other. "If there are a few *harpies* who will not concur . . . , let such be paid and execrated, and let others forbear." In no case would the nation suffer, but New Yorkers could reduce their losses to foreigners and citizens of other states by refusal to be panicked.³⁵

The deterrents pointed out by Hamilton promptly began to operate. Seton, his agent at the scene of trouble in New York, replied cheerfully that his bank would discount, especially for merchants with import duties to pay, on deposit of stock. The large dealers in stocks were about agreeing not to withdraw specie from the banks during three months. The January packet had just arrived with extensive orders for purchase of 6 per cents at 22,

though this grateful relief was thwarted because bills of exchange were at a discount due to credit derangement.³⁶

However, the prospect worsened. The secretary made another \$50,000 available and would add \$100,000 or more if "a pretty extensive explosion" required Seton to leave off piecemeal succor and enter the market in force. He should know that certain Dutch buyers would take 6 per cents at 24s. if their bills could be sold at par.³⁷ This help was not too soon, for Seton reported that despite arrival of the East India ships, "everything still is going Down Hill," and he feared this week "will be the most distressing period of any." A grim solace was that, in spite of settlements due, "from inability of all parties they must have forbearance." Hence by the time the government began to purchase, some imminent demands might have canceled each other. The Bank of New York continued to discount with stock as security, but from the "many failures daily happening," many old loans of the bank were in jeopardy. Most portentous was the rumor "that M^r Macomb cannot or will not comply with his engagements"; if true, what had been endured was comparatively trifling.³⁸ Two days later Seton, his finger on New York's financial pulse, was more urgent. Monday the 15th would call loudest for Treasury aid to the market, for then Macomb's company must take stock contracted for or pay the difference between the prices promised and the lower price prevailing. If the company did not comply (and some \$500,000 might be involved), "all other contracts are afloat, & the sacrifice must be very great. . . ." Decided assistance in government purchases, known in advance, "would in all probability save the City from utter ruin [illeg.] . . . such a day may never come again." Hamilton could answer by Saturday, time enough.³⁹ The following day Seton informed that Macomb had failed, whereupon Hamilton, by an express, furnished him with a further credit of \$50,000 total, making the over-all amount for the sinking fund \$150,000.⁴⁰ With this preparation Seton faced the supplicants, but they were so many and so eager that all he could do was take down names and then distribute \$100,000 of purchases among upward of eighty who besieged him. He surmised that no worse day was in store, and looked now to the exhaustion of gambling and revival of stock values.⁴¹ This business was wound up a month later when Hamil-

ton asked to have the stock bought for the sinking fund transferred to the books of the Treasurer. The secretary, in a few sufficient words, thanked his faithful agent for "this additional mark of your zeal for the public service."⁴²

When the worst was over, Hamilton gave his diagnosis of the stock panic to William Short, American minister in Holland, for his own information and to calm possible fears of our Dutch creditors. "The moderate size of the domestic debt of the United States . . . created the most intemperate ideas of speculation in the minds of a very few persons whose natural ardor had been increased by great success in . . . early stages of the melioration of . . . market value of the stock. To combinations of private Capitals thus acquired or increased, sums of specie, obtained as well at the most extravagant rates of premium as at common interest, were added, and to these were joined purchases of stock . . . so as to create a delusive confidence, that the concentration of so much stock in a few hands would secure a very high market rate. This expectation was increased by comparing the Market values of the several species of our funds with those . . . in Great Britain, the United Netherlands and other parts of Europe, without due allowance for the deductions which should have been made on account of the great difference in the value of Money and the objections arising from our distance from those European Money holders, whose capitals they expected to attract. . . ." This for the bulls; then for the bears. Countercombinations were formed to render payment as disadvantageous as possible. It was hoped the reduced market would afford further opportunities of gain.

The extreme indiscretion of the first speculators and the pinch they manifestly must suffer excited movements of the other party and brought on a scene of private distress hitherto not equaled in this country. These happenings were in winter when imports of cash articles of trade were nearly suspended and when monies had been sent from the seaports to the interior for purchase of produce for spring export. Banks limited their lending, particularly the Bank of the United States, then preparing to open branches in Boston, Baltimore, and Charleston. The government "could not be insensible of so fit a moment to make purchases of the public stock," but, ironically, this relief met obstacles. For several days \$50,000 could not be obtained at the highest rates previously paid

by the Treasurer for the debt. Holders free from engagements were unwilling to sell, those under commitments they could not fulfill were obliged to place their securities in the hands of their creditors who wished not to lose by selling bankrupts' property. Therefore stock in the market was really scarce, but soon a quarter's interest was paid, and buying revived. Hamilton thought the decline was arrested and that gradually stocks would return to their true value.⁴³

Though beset in his public responsibility, Hamilton did not forget his private wish to help Duer. This could be only by advice on the order in which the discredited speculator should meet claims against him. Hamilton's hope to confer with Duer in prison in New York was postponed because Congress protracted its session; he sent affectionate messages⁴⁴ and a month later hastily forwarded his notion of preferences. First should come friends, not concerned in his operations, who had aided him with their money or credit. Public institutions, including the manufacturing society for which Hamilton had a special solicitude, and the government itself, must next be secured. "Assign the rest of your property for the benefit of creditors generally. The law will do the rest."⁴⁵

Hamilton's attachment was evident in his successful effort, some years later, to have the prisoner released for an interval to support his family. A specimen letter which Hamilton addressed to one of Duer's creditors, praying assent, speaks feelingly of Duer's earlier patriotic services and of the humiliation and dire need of his family which were offsets to his financial demerits.⁴⁶

Moderating the financial panic in New York City had been a stressful episode, not least because Hamilton, at a remove of two days from the scene, must guess at hourly happenings. His directions to Seton frequently expressed his anxiety over unknowable contingencies. At the very outset of our history he brought the resources of the national government to the rescue of a locality in distress. This offered a precedent followed afterward on numerous occasions of limited danger, whether the threat was financial or physical. Hamilton's resolute relief was the more noteworthy because at that time the obligation of the central power to render assistance to a particular place was less acknowledged than since.⁴⁷ Hamilton did not pretend—indeed he specifically denied—that the money stringency in New York might involve other centers, much

less become general. Nor did the moralizing of some that the speculators had dug their own graves restrain him from snatching them, so far as he could, from the pit. Once or twice in the course of his efforts he had to presume slightly on his official authority, but his wisdom in so doing was readily confirmed.

The incident illustrated what he had preached earlier in his reports to Congress, that the Treasury would need a decent surplus to meet unforeseeable emergencies. Too punctilious critics had wanted to restrict national revenue to stipulated objects.⁴⁸



Society for Useful Manufactures

HAMILTON busied himself in a variety of ways to prosper the Society for Establishing Useful Manufactures. This was the most ambitious industrial corporation in America to that time, chartered by New Jersey, November 22, 1791.¹ Hamilton seems not to have been a formal promoter, if only because that would have been in conflict with his function in the Treasury. He may have drawn the act of incorporation, which had certain features resembling those he included in charters of the Bank of New York and the Bank of the United States. He early became and remained chief adviser of the directors, and, as volunteer, performed more services for the enterprise than were undertaken by any officer. His inducement was that the "National Manufactory," as it was often called, could demonstrate the feasibility of industrial development which he urged on Congress. He was eager to see his preachment put into practice at a site (the new company town of Paterson) near the Philadelphia capital and adjacent to New York.

Early in August six organizers of "A Society for the Establishment of Manufactures," meeting at New Brunswick, asked Hamilton to engage artists (artisans) for "a manufactory of Cotton in its various Branches, and printing the same." They would indemnify him for his expenses and ratify his contracts.²

Hamilton reported his selection of mechanics to head the different branches of the society's manufacture to the first (special) meeting

of the directors, at New Brunswick, December 9, 1791. This was the only meeting with a full attendance of the thirteen directors elected by the stockholders; it was now that Duer was chosen governor and Archibald Mercer deputy governor. Hamilton enclosed in his letter his agreements, on behalf of the society, with Thomas Marshall, to superintend the cotton mill; William Hall, the printing department; Joseph Mort, as an assistant where his experience suggested; and George Parkinson as a foreman. William Pearce was on the point of being engaged, for he had already prepared some machines, including a double (hand) loom which "as far as without seeing it worked, it can be judged of, promises to answer . . . Expectations. . . ." Hamilton was more uncertain of the practicability of a flax mill which Parkinson had patented, and he prudently left the society free to dismiss any of these hopefuls if actual trial proved their unfitness. Mort was willing to go to Europe to bring over workmen on promise of reimbursement. The directors at once confirmed all of Hamilton's actions.³

Hamilton's choice of technical men to equip and conduct the factories was crucial in the fortunes of the society. The organizers, pursuant to their preliminary agreement,⁴ assigned him this power. Several among his associates might have conceived the project, framed and procured the charter, and directed the business of a going concern. But fixing upon mechanics with the precise skills demanded must spell success or failure for the best plan. Hamilton had no experience for this special task. Others, as George Cabot wrote too late to warn him, had found themselves similarly lacking.⁵ Hamilton engaged Marshall, an unknown and fresh to this country, within a month after first hearing from him, and closed with most of the remainder in short order. He knew his danger, and admitted it in his recommendations to the directors. Apparently he set some to test their fellows. Of the group on whom Hamilton placed chief dependence, only Marshall remained in the society's employ as much as five years, and he departed in debt.⁶

Hamilton followed his preparatory work for the society by advising in two meetings of the directors in the spring and summer of 1792 when the enterprise took physical shape. This involved staying several days each time, further evidence of his deep concern for an auspicious start.⁷ The Minutes reveal that his counsel determined important decisions. He first attended May 16 and was

immediately entrusted with a delicate correspondence with Governor Duer, now in prison.⁸ Hamilton hoped funds of the manufacturing society entrusted to Duer "are not diverted. The public interest and my reputation are deeply concerned in the matter."⁹

Three sessions were required to fix, approximately, the location of the mills and town. Numerous proposals were examined before the directors resolved that others be dispensed with unless they related to the Passaic, Delaware, or Raritan rivers.¹⁰ Hamilton took active part in explanations that led, finally, to a unanimous resolve "That the Town of Paterson be located upon the Waters of the River Passaick at a distance not more than six miles from the same on each or either side . . . between the Seat of M^r Isaac Gouverneur near the Town of New Ark, and Chatham Bridge." This was a loose way of designating the neighborhood of the Great Falls, and the restriction of six miles may have been to exclude Vreeland's Point, seven miles away, which earlier had been favored by Duer. Low, Bayard, and Elisha Boudinot were a committee to buy the necessary lands. Benjamin Walker, serving as treasurer pro tem, should borrow \$10,000 from the Bank of New York or from the New York office of the Bank of the United States, giving deferred stock of the United States as security.¹¹ While \$5,000 was appropriated for Thomas Marshall to prepare machinery for a cotton mill of eight drums, already financial embarrassments obtruded. Archibald Mercer produced his receipt from Duer for the first installment on his subscription of 145 shares, and demanded that certificates be issued to him. Duer had paid for nearly 300 shares more than he had subscribed, so part of the surplus was regarded as belonging to Mercer, and the certificates were authorized accordingly. Also, as circumstances rendered it "inexpedient to exact full payment of the second Instalment" on the appointed day (July 13), the time for collection was extended three months. Otherwise delinquents would have forfeited their earlier payments.¹²

Ten days later the committee for fixing the seat of the society and buying land went to the Great Falls accompanied by General Philip Schuyler¹³ and others familiar with the country and with waterworks. Exploring the region, they found it practicable to take water from above the falls and carry it by canals that would empty into the river at any one of several low places between the falls and Acquakanonk. Duer had chosen Vreeland's Point at

the head of navigation seven miles away, and at his direction Samuel Ogden had bought lands there for the factories and town. However, the committee found the distance greater than the funds of the society would warrant. In this quandary they consulted with Hamilton, judged it most prudent to be immediately adjacent to the falls, and bought farms there, for mill sites and town, costing £3,293 8s. 3d. At the committee's advice Ogden succeeded in revoking his contracts for the more ambitious project. The decision was to sacrifice the position at the head of navigation (where the city of Passaic now stands), and to cope with seven miles of land carriage for materials and products rather than commit the society beyond its financial capacity. Doubtless location at the Great Falls had been Hamilton's preference from the first.¹⁴ These transactions were reported and confirmed by the directors at a meeting at the tavern of Abraham Godwin at the Great Falls,¹⁵ attended by Hamilton beginning the second day, July 4, 1792.

A map by A. Willis, the surveyor, marked B, was submitted,¹⁶ and the course of the canal was approved in accordance with it. The water was to be "conveyed across the adjacent Gully . . . upon the summit of a Wall to be erected for that purpose, and preserving the head thereof." For this construction, presumably the wall and entire canal, a sum not exceeding \$20,000 was appropriated. This authorization was soon exceeded by Major L'Enfant, the first engineer of the society, with unhappy consequences, as will appear below. Three factories were to be erected and equipped forthwith—a cotton (doubtless carding) mill, a print-works, and a plant for spinning weft and weaving. Particulars of stone construction, size, and cost of each were specified.¹⁷ Doubtless Schuyler had suggested where the large sawmill should be placed. Fifty dwellings, story and a half, for employees and other mechanics who might choose to settle at Paterson, were to be erected on quarter-acre plots at a total cost of \$8,500, and money would be lent to enable the four principal "artists" to build themselves superior homes. The committee to superintend building operations was empowered to borrow \$70,000, pledging United States funds.¹⁸ This exemplified a favorite forecast of Hamilton, that public stock, once made secure, would be transmuted into active capital.

At an adjourned meeting at Newark, July 7, the moral dis-

credit of having the governor, Duer, in debtors' prison in New York, had enough for the public relations of a corporation which had not completed its capital, began to touch the society in its own management. Duer had been "entrusted . . . with the appropriation of a considerable sum of money which remains unaccounted for" in spite of various applications to him. Therefore Walker should issue no more certificates "for shares which shall have been paid for by William Duer" without further instructions from the directors. Nicholas Low, the deputy governor, disagreed with this motion and withdrew before it was voted. When the hard-pressed board was confronted with a bill of John Pintard, the term "Manufacturing Script" was mentioned.¹⁹ We do not know whether Hamilton was still present to be a witness to this embarrassment.

The society had suffered from the financial visionary Duer. It was now to be distracted by the talented engineering visionary L'Enfant. In the choice of both of these Hamilton was to blame, and his error in the second instance was aggravated because he should have taken warning from Duer's debacle. The directors were officially responsible as representatives of the stockholders. Besides, as businessmen, investors themselves, who had embarked their reputations as well as their money, they should have scrutinized every proposal, especially in the potent beginning of the enterprise, with canny eyes. Instead, they paid too much deference to Hamilton's volunteer leadership. Extenuations may be offered. The undertaking was novel in their experience, in form and in object. Corporate character diffused the management function; longer practice was needed to combine collective resources with competent performance. The directors were merchants and promoters rather than industrialists. They were used to individual ventures, or to joint action with a friend or two, in brief projects, the outcome of which could be fairly calculated. The SUM was intended to be not only permanent, but expanding, and embraced such varied problems as power development, construction of machinery and plant, recruitment of skill, technological operation, purchase of materials and sales of products, town planning, lease of mill sites, and attraction and housing of settlers. Moreover, they were first caught up in the speculative boom and swiftly were plagued by misfortunes that ensued for several of their company. Their scheme was too far civic in conception and political in con-

duct. The directors thought of themselves as a little legislature, but without an executive to discharge or advise of needed changes in orders. They delegated not enough authority, or too much. All was done at arm's length, at intervals.²⁰

The building committee (Low, Bayard, Elisha Boudinot) reported that contractors' proposals for the factory structures were so high that it was preferable for the society to erect its works, and the committee had engaged Major L'Enfant as superintendent. He was to lay out canals, town, and oversee the building program; he was appointed for one year at a salary of \$1,500. His letter of the day before (Aug. 19, 1792), projecting his plans, might have stirred caution in the directors. Some of them must have known, as Hamilton did, that L'Enfant had exceeded the appropriation for remodeling Federal Hall in New York, and only six months before had been discharged from further design of the national capital on the Potomac. His splendid imagination, finally acclaimed in the latter case, was misapplied in sketching an industrial community under private auspices. He disapproved the modest scheme of dug canals descending the hill near the falls, which had already been adopted, and returned to Duer's intention of conveying the water seven miles to the head of navigation. But in L'Enfant's flight with a difference. The hills thereabouts, he found, concealed caverns which would drain away the water, so it would be advisable to construct a stone aqueduct, carried on arches to avoid the doubtful ground. Leaks in this magnificent trough could be detected and remedied. For the time being the directors contented themselves with authorizing machinery for the cotton mill and agreeing with a wagoner for freighting to Acquakanonk Landing.²¹

Soon the exuberant French engineer was reporting to Hamilton his progress in clearing trees and immense roots from the ground through which the canal would be carried. "I am in hope in a few weak to be enabled to make a beginning of the foundation of the grand acqueduct" in which he and the society would find equal gratification.²²

To establish its cotton manufacture with power machinery on a respectable scale the society found it necessary to import skilled workers and part of the equipment and materials from England. This, in effect, had been forecast in Hamilton's Report on Manu-

factures shortly before. Indeed, the project of the society was intended to be the sequel to the secretary's proposals. Dependence on English experience was contemplated by the Philadelphia promoters whose advertisement brought Samuel Slater to this country, and his Rhode Island employers were quickly convinced that only his arrival promised success. This lesson must have deeply impressed Hamilton and through him the SUM. We must remember that the British industry itself was in its infancy, only some twenty years old, if we date from Hargreaves' jenny, and was yet to be developed in the weaving branch.

Dewhurst, Macomb, and Low were named a committee (January 18, 1792) to confer with the mechanics, Mort and Hall, "on the Measures necessary to be immediately taken to carry on their respective Branches of the Manufactory." The report next day was that Mort urged the society to secure—from abroad, though this was not put in the minutes—at least forty or fifty skilled hands for the cotton and finishing mills. This operation "ought to be conducted in the most confidential manner: the Committee are of opinion that . . . not exceeding Twenty thousand Dollars be appropriated to this object; and that the whole Business of procuring such Hands be committed to the . . . management of the Governor . . . subject to the advice of the Secretary of the Treasury." Hamilton's responsibility was heavier when, on Hall's estimate, the sum allotted for importing workmen and supplies was increased to \$50,000. Macomb and four more were to act with the governor in spending this appropriation.²³

The need for experienced workmen who could be induced to immigrate, especially from Britain, was patent.²⁴ Encouraging signs were not lacking. Said a letter from Dublin: "The people are every where panting to go to America, to enjoy the freedom and plenty which no part of European ground seems longer to afford them. Emissaries from America are at this hour dispersed through England, Scotland and Ireland, to enveigle our husbandmen and mechanics. . . ."²⁵ The next year George Hammond, the British minister, warned his government that agents of the SUM "are at this instant employed in the chief manufac^s towns in England for express purpose of enticing skilful workmen, and procuring correct models of machines."²⁶ A Philadelphia paper gave London news that "the most severe laws have been enacted, making any person

who is found . . . concerned in persuading [mechanics] away, liable to a punishment little short of total loss of fortune, and imprisonment for life."²⁷ This menace, though perfectly known, did not deter Thomas Digges, a neighbor of Washington on the Potomac, who was actively recruiting artisans in Ireland and northern England with the help of a thousand copies of Hamilton's report on manufactures which he had printed and was distributing. He had sent over William Pearce, inventor of a double loom, who deserved to be cherished. If informed against, "the smallest particle of machinery, tools &c will stop the ship," but vessels could not accommodate large equipment anyhow, and the best plan was to secure workmen who could duplicate the parts in America. High wages here were no obstacle when labor was used on immensely productive machines.²⁸

The outcome was a prime calamity that befell the society. By the time the board met April 3, 1792, at New Brunswick, the financial panic had discredited Duer, Dewhurst, and Macomb and had distracted other directors from designs of the SUM. Two days of fruitless adjournments were required to get a quorum, particularly to summon Elisha Boudinot and Walker to come with the records and accounts. When they attended they were formally admonished not to take the books out of the state again, as this had caused risk and delay. Perhaps the minutes had been carried to Philadelphia to inform Hamilton of the alarming pass that faced the enterprise. Anyhow, he was immediately turned to for help. Deputy Governor Low was chairman of a committee to acquaint him with actions of the directors at this meeting (nowhere specified), "and requesting his advice in our present situation." Lowrey was to deliver their carefully drafted letter and wait for his reply. Walker, refusing to go to Jersey, had replied, that "in this critical moment when every hour brings its misfortunes and the property of every man [is] at hazard none of them can . . . leave town." With no money at command, the society's business in confusion, and confidence to be rebuilt, "It is natural for us . . . to look up to you as the founder of the institution & . . . we have no doubt you have the good of the Society at Heart." Duer was too distracted by his private troubles to offer direction. In the name of the society they requested "that you will be kind enough to furnish

us with your Ideas . . . and assist us in our operations as far as in your power."²⁹

The following day produced nothing but anxious addresses to absent directors to be present ten days later at Powles Hook.³⁰ Here Hamilton's letter was read to a slim meeting. If loss of funds was not too serious, prospects of the society could be retrieved by procuring superintendent, accountant, and cashier of competence and unquestioned integrity. The location should be forthwith determined, land should be purchased, and buildings begun for cotton manufacture, printing to come later. He would help to secure a loan if that was needed. Take circumspect measures for attracting "*a few essential workmen*" from Europe. (To the extent that these should come from Britain, the likeliest source, here Hamilton, a high public officer, was conniving at violating the laws of a friendly power.) In the present scarcity of money, the project of a lottery should be postponed.³¹

Governor Duer, immured and silent, became the first item of discussion. A committee should wait on him "to know what communications he has to lay before the Board, and to request him to furnish a statement of the monies committed to his appropriation. . . ." Acuter apprehension followed the much larger sum (\$50,000) entrusted to Dewhurst to engage men and materials in England. A committee was to inquire of him about the safety of this money.³² Now came brief calm before the storm. Macomb, chairman of the committee given \$50,000 to spend overseas, wrote from New York that he had delivered to Dewhurst bills of exchange drawn on Macomb's correspondent in London amounting to £10,975.12.2 sterling; Dewhurst had filed with Walker, the accountant pro tem, receipts for these bills. Walker reported comfortably that the bills had been remitted and the articles from Europe were expected to arrive in June and July. This would be timely, as machinery was "in great forwardness" and some was ready to be installed as soon as buildings were erected. Assurance had come from Duer that the \$10,000 furnished him for workmen and equipment was secure and would be faithfully applied. However, the deputy governor (Nicholas Low) was substituted for Duer in drawing warrants on the funds in banks.³³

But now came an ominous note. Walker related "that on Mr

Dewhurst's failure, some apprehension had arisen with respect to the safety of the monies committed to his care." Therefore Walker and Low, with Duer's approval, dispatched a vessel to England at a cost of \$850. The gnawing question was how to salvage the fund in such jeopardy. The directors, with admirable skill of traders and lawyers, called up every melancholy contingency and projected the best moves under the circumstances. The news of Dewhurst's failure went by the British packet that sailed April 9, but she must call at Halifax and it was hoped the swifter pilot boat would land her special messenger in time to retrieve the funds in the hands of Dewhurst's partner. If Dewhurst's failure was known, the society's money would be seized by his British creditors. This emergency expedient was submitted to Hamilton's "private Ear" with hopes he would approve. As for the \$10,000 unaccounted for by Duer, who had failed, this sum would be subtracted from payments on his shares.³⁴

Walker had begged Hamilton to see Dewhurst in Philadelphia to learn all particulars. Hamilton got small comfort from the conversation. Dewhurst promised all in his power to indemnify the society for diversion of their funds to the benefit of his English creditors. The SUM should have an eminent attorney in England see to their interest.³⁵

We have a disquieting view of the affairs of the society in a report to the stockholders at their meeting October 2, 1792, Governor William Paterson in the chair, by the committee to examine the accounts. The audit had been impeded by time but more by "the deranged State of the business of the Company. . . ." Physical assets consisted of 306 acres of land, a gristmill and sawmill, costing \$14,139.87, machinery and materials estimated at \$7,500; horses and carts, \$720. The society held deferred U.S. Debt, \$53,092, and had cash in hand and due from persons employed, \$17,518.48. Receipts had been, in full of first payment on 6,122 shares, \$121,950.24; on first installment of second payment, \$33,203.14; on second installment of the same, \$5,625.23. Deducting double payments made by mistake on a few shares, this left net income of \$160,200.93. From this the directors had paid sundry accounts amounting to \$37,744.52, and \$5,314.63 in debts were still due.³⁶

However, the big deductions from stock payments, which

brought the net amount in hand to \$65,295.86, were advances of \$50,000 to John Dewhurst [Dewhurst], one of the directors, and of \$10,000 to Duer, governor, for purposes of the society. Dewhurst remitted bills of exchange to England to purchase merchandise for the society, "which Bills . . . are in a State of Jeopardy little short of desperate. . . ." Dewhurst being greatly involved, his agent in London immediately on receipt "pledged the said Bills to divers Persons, for the private Debts of the said John Dewhurst." Dewhurst soon became a bankrupt in Pennsylvania and went to England where it was expected he would also take advantage of the bankruptcy law.

Going forward in the minutes of the directors, we may conclude the damage done by Dewhurst's failure. In September, 1793, the governor was empowered to accept a proposal of Alexander Macomb to pay \$12,195 in full satisfaction of the demand of the society against Dewhurst for bills drawn by Macomb and remitted by Dewhurst to London, provided the directors assigned all their rights to the bills to Macomb.³⁷ Evidently this settlement struck a snag, for in November the board requested the London house of Phyn, Ellice & Engles (Inglis), on which Macomb had drawn, to effect the best compromise of the bills.³⁸ Almost a year later (October, 1794), Phyn, Ellice & Inglis had accomplished nothing, so William Constable, the New York merchant, then in London, was entrusted with the assignment.³⁹

In mid-October, 1792, Duer was superseded as governor by Low, who had been filling the position anyhow. The unskilled hands for the cotton factory—indeed, many of them were to be children—could be had from the locality, but fifteen specialists for the finishing mill were to be procured by William Hall from Europe. The number in each craft was specified—one drawer, two cutters, four printers, one engraver, and so on—as finding them and contriving their exit required ingenuity and expense.⁴⁰ The directors received communications proposing wool combing, manufacture of flax, hemp, and chip hats, and calico printing, but were unable to embrace them, as the time for receiving the third payment on stock had to be extended and the expedient of a lottery was bruited afresh.⁴¹

Failure of the society to succeed in its original intention of constructing and operating a "National Manufactory" or industrial

center was due to comprehensive causes—financial, mechanical, and managerial. The first was partly misfortune, since the enterprise was overtaken at the outset by the panic of 1791–1792, but resulted hardly less from ineptitude or inattention. Lack of mechanical and engineering experience was more to be expected; it was illustrated by misplaced confidence in those chosen to provide the power and build and install the equipment. Even so, competent managerial oversight, constant, on the ground, and extending to every feature of the undertaking, had it been procured soon enough, might have saved the situation. In January, 1792, the directors realized that it was now necessary to appoint a superintendent-general of all the works, and elected Nehemiah Hubbard at an annual salary of \$2,000.⁴²

Already prospects of the society were clouded by errors of omission and commission, but Hamilton was resolved to retrieve them. He wrote to Hubbard: "I have heard with much regret, though under the appearances which must have struck you, not with much surprize, of your determination to decline the appointment of Superintendent. . . . This institution has presented itself to my mind as of such real public importance, that I feel myself much interested in its success; and I . . . continue to entertain a conviction of the practicability of insuring that success by judicious management." A fit general supervisor being essential, he hoped Hubbard would reconsider. Directors who were "too much enveloped in Speculation to pay proper attention to the trust" would doubtless be replaced by others inspiring confidence. He would meet with the society in a few days, when he hoped "I shall be able to give such a direction to their measures as will recover the ground that has been lost by delay & indecision." He trusted he could then announce that Hubbard would commence to serve at once.⁴³ However, Hubbard was not moved, and he does not appear again in the minutes. Seven months later L'Enfant was engaged, but his duties were those of engineer and supervisor of construction rather than of business manager. Even in this specialized capacity L'Enfant was superseded by Peter Colt, appointed general superintendent in February, 1793. He had been an officer in the Revolution, was treasurer of his native Connecticut, and brought to the SUM what was sorely needed in practicality, energy, and uninterrupted watchfulness. It is said that

Elias Boudinot secured his services for the society.⁴⁴ In the interval Hamilton was appealed to, by mechanics on the site, for operating decisions as though he were manager, governor, and board rolled into one. So far had his voluntary moral commitment and the negligence of others involved him. One would have supposed that he had not burdens of the nation on his shoulders. He was the willing horse threatened with being worked to death.⁴⁵ Hamilton bound himself by formal agreement which he drew to be responsible, on behalf of Nicholas Low and Abijah Hammond, for £800 Pennsylvania currency to reimburse a Scottish firm for shipping stocking frames and skilled workmen to America. He also contracted with John Campbell to go to Scotland to procure machines, tools, and workers, and afterward manage a stocking mill (at Pater-son) that Low and Hammond would finance.⁴⁶

While Hamilton was struggling, in such time as he could command, with the management and manufacturing problems of the corporation, the *National Gazette*, which always took a wry view of his doings, quoted from the *New York Diary* an attack on the SUM. It would not succeed because it was got up by speculators who "meant nothing more than to possess themselves of a great number of shares, raise them to an exorbitant price, sell out, and after realizing a handsome fortune, care very little if the whole . . . went to the devil." Shares on which the original deposit was \$25 once rose to upward of \$50 but at the time of writing had sunk to 8 or 10 shillings.⁴⁷ This suspicion was not without truth. Ten months before, Macomb had written to Constable: "I have engaged you in some speculations. . . . One of them is an agreement between W^m Duer $\frac{1}{6}$, Walter Livingston $\frac{1}{6}$, W & J Constable $\frac{1}{6}$ [,] John Dewhurst $\frac{1}{6}$ [,] Benjⁿ Walker $\frac{1}{12}$ & Royal Flint $\frac{1}{12}$, myself $\frac{1}{6}$ to purchase up three thousand shares of the . . . manufacturing Society, in order to have the management of the Direction, and by that means to promote its interest & *our own*." The shares were to be procured in time to vote them for new directors; Walker for \$500 a year was to keep the books of this clique. The scheme had been proposed by Duer, "whose fertile genius is always suggesting new speculations," notwithstanding he was Governor of the SUM. Duer, Macomb, and some more were also to turn to their private account the lottery allowed by New Jersey.⁴⁸

Demands of officers and servants of the SUM on Hamilton's

attention increased as the career of the society wore on. Peter Colt was an efficient superintendent, but needed information and aid from Hamilton in entering on his duties. Would Hamilton submit his accounts with the society? As later appeared (July 18, 1793), he was creditor to the amount of \$1,811.10, his own money advanced to mechanics for various purposes.⁴⁹

Superintendent Colt pressed plans into performance, giving the project physical shape and the character of a going concern, though he was crippled by earlier mistakes not of his making. Nine months later Colt was given a three-year contract, and a few directors were designated to furnish him their advice, when requested, between meetings of the board.⁵⁰ L'Enfant had taken off, leaving Colt ignorant of his plans for town and buildings and unable to answer daily applications from workmen for employment and homes. Hall, Marshall, and Pearce, "perfect masters of their Business," whom Hamilton had engaged for various manufacturing branches, were "totally dissatisfied with their situation & prospects." Pearce was absent at Philadelphia about his patents and seemed in danger of being separated from the society by an enterprise of Bingham with a capital of \$30,000. Hall was away on his own concerns. Marshall had gone to New York demanding that his salary be doubled to £200. Joseph Mort, though in the society's pay, had long been in Virginia on private business; should he not be discharged? Would Hamilton please remonstrate with L'Enfant about his "extraordinary long Absence" and get him to return to Paterson at once, as certain mills would be ready before water was brought to them? Weavers were working under difficulties in a shed.⁵¹ Hamilton must advise the directors at their next meeting April 18, in person if possible.

L'Enfant returned to Paterson but only to complain to Hamilton that he felt "a sudden discouragement [*sic*] in prosecution" of his excellent plans because they were likely to be diverted to the interest of Sam Ogden. Low, the governor, would ask the directors to put £10,000 into a cotton factory, proposed (or to be conducted by?) Ogden at Vreeland's Point. The upshot was that L'Enfant was adjourning all construction until the directors met and decided the issue. In the meantime the Frenchman begged Hamilton's opinion of this business, in a manner as confidential as Hamilton's trust in him would induce.⁵²

Hamilton, evidently unable to meet with the directors, gave his thoughts to Governor Low. Marshall seemed essential to the SUM and should be secured by a better salary. He had "many reasons" to conclude that Hall and Mort had not the interests of the society at heart, and could be parted with. For some time he had found Pearce, though inventive, "unsteady, & . . . incapable of being kept within bounds of order or economy." Rather than take the law from him, he should be let go; others could contrive similar machines. He recommended Taylor, a calico printer, who had proved himself by excellent work in this country.⁵³

Prospects did not brighten when Colt, immediately after the directors met in April, left Paterson for Hartford because his family had the smallpox, of which one child died and another was five weeks in the hospital. Hence Hamilton's balance must remain longer unpaid. Mort was discharged, salary of Hall (a trouble-maker) was reduced, pay of Marshall and Pearce (the latter deemed necessary though intemperate) was raised. All of the English mechanics were jealous and distrustful of L'Enfant. The directors, too, were alarmed at the extent of L'Enfant's projects, but he persuaded them to accept his promise to deliver water this season. The financial outlook was troubled. The payments due in May and July on account of stock subscriptions would be in funded United States debt and on only half the original shares. The debt could not be turned into cash without loss, and the banks would not want to lend on it sufficient for the summer and fall. L'Enfant would not want to reduce his operations in accordance with limited funds. L'Enfant would listen to Hamilton. Would Hamilton control him?⁵⁴ In his autograph version of his account with the SUM, L'Enfant noted with asperity that he had been charged with expenses the society should bear. He appealed to Hamilton: "Privy as you have been with my engagement, in the First Instance . . . you . . . well recollect I never would have concerned myself in it had . . . I [not] ceded to your wish and trusted on your friendly support."⁵⁵

It was doubtless these problems in the SUM that induced Hamilton, who had just recovered from yellow fever, to stop at Paterson on his way from New York to Albany.⁵⁶

The auditing committee, reporting to the directors October 9, 1793, was profoundly disturbed by their findings, or rather by what

they could not find. No general account books appeared to have been kept prior to Colt's commencing February 17, 1793, so the property of the society was in a "deranged . . . situation," calling for a review as thorough as the defective records would permit. The amount of stock paid in was \$294,236.34, for which the society had to show \$130,181.09 in United States deferred debt counted as worth \$78,000; cotton and manufactured goods, \$3,430; land, \$30,969; manufacturing house, \$30,000; other mills and houses, \$6,197.30; water course, \$2,600. The "strictest attention & the most scrupulous oeconomy" were enjoined, together with regular reports from the superintendent and visits to the manufactory by a standing committee. The directors should meet regularly "& enter into thorough and minute examination of all accounts & transactions of the society. . . ." During the first year \$180,460 had been appropriated, exclusive of salaries. The committee evidently considered that accomplishment was meager. Remaining funds should be devoted for the present solely "to carry on the Cotton branch by water. . . ." The proposed hotel should be abandoned, and every one on the payroll not fully employed should be discharged forthwith. Hand-spinning busied 17 workers, the water-spinning department had 15 at some 4 shillings a day each, and other employees, mostly artisans and laborers, numbered 79.⁵⁷

The following month (November, 1793) presented untoward developments. A director was to go to Wilmington, Delaware, to retrieve, if he could, machinery of the society wrongfully taken there by two of the foremen, Hall and Pearce. Five months later he had spent \$260 in his errand and recovery of the equipment was still in the hands of lawyers. As mentioned, composition with Macomb had shrunk the \$50,000 furnished Dewhurst to a fourth of that sum. A lottery to raise \$100,000, which had been promoted in the spring, was contracted to \$39,000, for the project had not prospered, and commissions to ticket sellers later were increased.⁵⁸

By the beginning of the new year, 1794, L'Enfant had left, taking with him papers of the society, including a map of Paterson drawn by Willis, which he was requested to return. The SUM was too low in funds to pay a treasurer, and Abijah Hammond, elected to that office, declined to give bond. The governor (Low)

was to act as treasurer, and was empowered to sell United States stock to meet drafts of Colt. But the directors still had fancies, for the superintendent was to plant white mulberry trees "for the culture of silk worms."⁵⁰ The factory children presented a more immediate problem. Colt reported that their parents were so poor and wages of the children were so low that they got no schooling; children would be withdrawn from the mill unless something were done. Therefore a schoolmaster was to teach the tots on Sundays, for pay not to exceed ten shillings a week.⁶⁰

Hamilton, usually precise in his legal stipulations, wrote (July, 1794) that suit had been commenced against him by Joseph Mort whom he had engaged for the society; it was resolved that the corporation substitute itself as defendant.⁶¹

The business of the society now went steadily downhill. Soon calico printing was discontinued, the printers were dismissed. With no money to build houses, town lots at lowered prices were offered to any who would put up homes. Drawing in the languishing lottery was postponed. A special meeting for important decisions at the beginning of 1795 fetched only three directors. Came August, and the governor was to sell U.S. deferred stock at a minimum of 14 shillings to discharge debts.

Prospects were in this declining way when, November 24, 1795, Hamilton was elected the only new one among thirteen directors. The records do not show that he ever attended in this capacity. He could have witnessed only the suspension of the enterprise. Early in 1796 the crisis called for a stockholders' meeting set for March. Meanwhile, as further manufacture must be at a loss, the superintendent was to terminate operations and sell completed goods at vendue. Promptly Thomas Marshall was discharged with the rest, though it was uncertain what security he could give for money he owed the society.⁶² In July, creditors pressing, more U.S. stock was to be sold, and on lenient terms. The faithful and efficient Colt resigned, there being no further use for his services, and the board cheerfully recorded a testimonial of his blameless conduct. The stockholders were summoned to consider dissolving the corporation. The cotton mill was to be leased. Then four years passed before another meeting of the board, when the remaining U.S. stock was sold at a price.⁶³

Hamilton, unintentionally, had been the cause of costly errors,

for his choice of chief mechanics, and of L'Enfant, proved in the trial to be bad. His solicitude for the experiment was not matched by experience, judgment, or full focus on the complicated work in hand. He was too much engaged in establishing the national credit to allow him to organize an industrial enterprise (with a town attached) at the same time. He overreached himself. As events revealed, he would have done better to entrust the SUM entirely to private promoters, if indeed the proposal was not premature in the ambitious form that it took. Fortunately, early lapse of the Society did not prove a setback to industrial progress which he had so much at heart. Rather, it was a salutary warning against attempting too much too fast, and the durable efforts which followed were on smaller scale with less fanfare. The rounded development which Hamilton projected, in the Report on Manufactures and in the SUM, was to be delayed until the second generation of the new nation's career, for until the War of 1812-14 available capital found superior attraction in foreign commerce and opening westward settlement. Hamilton's wish for governmental and public advancement of industry and transportation did not receive impetus until, a dozen years after his death, the "American System" became the cry, when his urgings were returned to in the tariff of 1816, the charter of the second Bank of the United States, and the apostleship of the elder Carey, Niles, and their friends.

“Imperfect Sympathy”

HAMILTON had a right to suppose that since he had been in office two and a half years (March, 1792), and had successfully proposed most important measures, this original function given to him by the act constituting the Treasury Department would not be assailed. Yet when the bill was passed for defense of the frontiers, and the question was how to provide for the additional expense entailed, the usual motion to refer the problem to the secretary for a report roused antagonism. Antiadministration forces made an attack, not the last, directed against him. Responsibility of the House for appropriations, it was urged, confined the duties of the Secretary of the Treasury to collecting fiscal information and furnishing specified data on demand. This would make him not a minister of state but little more than a glorified clerk. The debate, threshing over old straw, showed how resentment had accumulated and was embittered. This was poor reward for his services in rescuing the national finances and projecting a prosperous economy.

Opponents like Madison, Page, and Findley espoused the proposition that the House must “do [no] part of legislation by proxy. . . . Certainly if we are capable of altering . . . the principles of the Secretary’s Reports altogether, as is granted, we must be capable, with due industry and attention, to originate them ourselves.”¹ This was inconsistent with the trust previously reposed in the secretary by several who were now so solicitous for “the independence and purity of the House,” notably Madison, “who had given efficient aid in making it by law the duty of the Secretary . . . to

report plans for the . . . improvement of the revenue."² Their assumption that threescore legislators could collectively thread intricate paths of finance contradicted their contention that the secretary, whose whole study this was, would mislead them.³ It was conceded that "a Secretary may venture to propose what no member would be hardy enough to mention." Perhaps "the Funding System, the Assumption, or the Excise, could have been introduced by no other means." But it was "degrading" in the representatives of freemen to adopt measures which they dared not propound.⁴

Hamilton's critics made no objection to latitude in the secretaries of State, War, and in the attorney general. In spite of their power of review, they ungenerously fought the penetration and influence of the Secretary of the Treasury. They would deny him the expression of opinion, insulate themselves from his arguments. This backhanded compliment was accompanied by disagreeable insinuations, not new, of his kingly proclivities. Though Sedgwick, Ames, Vans Murray, Steele, and others bore opponents down, the vote to ask for his judgment on additional supplies was uncomfortably close, 31 yeas, 27 nays. The division was on party lines except that FitzSimmons was in the negative.⁵

Hamilton's report was promptly submitted, March 17.⁶

The same issue was debated, with more acerbity, when the second Congress opened its second session in November of 1792. The President in his speech had emphatically urged that the House enter on an arrangement for discharging the public debt so far as it was redeemable,⁷ and the legislators in their answer had as heartily concurred.⁸ FitzSimmons moved "that the Secretary of the Treasury report a plan for the purpose." The mover had objected to a reference in the spring because that involved new revenue, but the present need could be met by a loan.⁹ Mercer of Maryland, a persevering foe of Hamilton, with more than a touch of the demagogue, was sure that the representatives, having just returned from mixing with their constituents, could view the question with fresh wisdom. Dissatisfaction of the people with the habit of committing fiscal policy to the Secretary of the Treasury was "very general." Further, "is not a body selected from millions of the people more adequate to the task of originating than a single man?"¹⁰ Madison agreed, but cautiously. In the earliest infancy of the government, giving discretion to the secretary was

perhaps necessary, but not now. The House should determine principles before calling on the secretary for relevant particulars. Baldwin of Georgia, speaking for distant, sparse settlements, blamed funding system and excise on the very first reference to the secretary "to report a *plan* respecting the public credit." Some of Hamilton's measures, Giles put in, "discovered a princely ignorance of the country, for the wants and wishes of one part had been sacrificed to the interest of the other."¹¹

Gerry and others reminded, as earlier, that digesting diverse materials, selecting, and emerging with a coherent proposal for a sinking fund was better entrusted, in the first instance, to a specialist.¹² But the gorge of Democrats was rising. If the secretary's reports were favorably compared to Adam Smith's treatise on the *Wealth of Nations*, it was retorted that "We do not come here to go to school, or hear lectures from the Secretaries on finance or any other subject." In effect, the secretary, securing assent to his biased arguments, was legislating. This admission was demeaning to his critics, but they looked to the next election to remedy the evils which flowed from the Treasury.¹³

The motion to refer to the secretary for a plan of reducing the debt was carried, 32 to 25, which was a gain of support for Hamilton as compared with his slight margin on the same issue in the spring.¹⁴

Aaron Burr, so recently elected to the United States Senate, was willing to leave that for the governorship of New York, from which he might aspire to the Presidency. He must oppose Governor Clinton, whose solidly organized supporters would not desert the incumbent of fifteen years. Himself of equivocal party allegiance, perhaps Burr could secure the backing of the New York Federalists. The outlook was hardly promising, for he had won his seat in the Senate over Schuyler, who, with Hamilton, was rallying voters to the candidacy of Chief Justice Yates. However, Burr's prospect brightened when Yates withdrew. Hamilton and Schuyler plainly suspected that this was of Burr's doing, though Yates protested that his reasons were financial, and Schuyler had been able, temporarily, to hold him to his resolve to run.¹⁵

To improve this opportunity, certain of Burr's friends, who were also friends of Hamilton, appealed to the latter to make Burr the

Federalist choice against Clinton. They visited Hamilton in Philadelphia, and on their return to New York charged Schuyler with their arguments which they begged he also would urge on Hamilton. Burr had sufficient "personal dominion" over Yates to ensure Yates' support. If Burr ran against Clinton, with no third candidate in the field, the issue was doubtful. To block Burr, Hamilton's friends must espouse Clinton. This was called, with some restraint, "a dereliction of sentiment." On the other hand, if Hamilton's Federalists put forward a third candidate, this would be to sacrifice the chance of claiming Burr as the winner. If Burr was victor, owing nothing to the Federalists, he would be their enemy; if he failed he would be not less so. If in spite of Federalist help he lost, he would be bound, in the Senate, to evince his gratitude to his friends.

One of the diligent go-betweens, after repeated soundings, reported that Burr was for the Union, and as to Hamilton "expresses an entire confidence in the wisdom & integrity of your designs & a real personal friendship . . . which he does not . . . suppose you doubt of, or that you ever will unless it may arise from meddling Interveners."¹⁶

These overtures Hamilton rejected out of hand. We do not have his letter refusing any truck with Burr. If it was that to which one of the would-be intermediaries referred, it blasted hopes of such a maneuver. "I should have admired the candour & . . . integrity which dictated your Letter," said the sorrowful Ledyard, "had it been rec^d from . . . any other person. It afforded me no . . . pleasure . . . coming from whence it did."¹⁷ Hamilton marked Burr down as a "pestilent politician" serving only his private ambition.¹⁸ For his fuller condemnation we may safely argue backward from Hamilton's description of Burr in the autumn of this year. Burr, nothing daunted by his elimination in the contest for the New York governorship, was "industrious in his canvass"¹⁹ for the Vice Presidency to defeat John Adams. Hamilton suspected that Burr's appearance was nothing more than "a diversion in favour of Mr. Clinton,"²⁰ whose elevation to the general government would be "very unfortunate. But still," Hamilton continued, "Mr. C. is a man of property, and, in private life . . . of probity. I fear the other Gentleman [Burr] is unprincipled, both as a public and private man. When the constitution was in

deliberation . . . its enemies . . . considered him as with them. In fact, I take it, he is for or against nothing, but as it suits his interest or ambition. He is determined . . . to make his way to the head of the popular party per fas et nefas to the highest honors of the State, and as much higher as circumstances will permit. Embarrassed . . . in his circumstances, with an extravagant family—bold enterprising and intriguing, I am mistaken, if it be not his object to play the game of confusion, and I feel it a religious duty to oppose his career."²¹ And to another Federalist, "In a word, if we have an embryo Caesar in the United States 'tis Burr."²²

If Burr was not to be made governor of New York by Federalist votes, more was imperative than for leaders like Hamilton and Schuyler to discountenance him. A Federalist candidate of indisputable distinction and loyalty must be put forward at once in place of Robert Yates who had faltered, then retreated. Hamilton had every motive for ensuring success. His choice was the highest dignitary in the land, Chief Justice John Jay. Hamilton's persuasions must have been fervent, for Jay had twice before refused to stand for elective office. Maybe the fatigues of the circuit came to the assistance of Hamilton's urging. Even so, Jay would not "make any efforts to obtain suffrages,"²³ relying solely on his reputation for ability and integrity.

In an acrimonious campaign, one of the earliest to exploit the contrast between aristocrat and plebeian, Hamilton paid for his pains when his fiscal system and personal influence became favorite targets of the Clintonians, now augmented by the apostate Livingstons. No more than Jay, wrapped in judicial robe, could he answer, for he protested—not very accurately—that he "scrupulously refrained from interference in elections."²⁴ National and international overtones were heard in the local din, for the newspaper war between Hamilton and Jefferson was waging, and no American contest was without references, pro and con, to the politics of the French Revolution.

In the election, departures from strict requirements of the statute happened in several counties. They concerned the mode of forwarding the ballots to the secretary of state. Irregularities were technical and in earlier instances had not provoked dissent. Now, however, when it appeared that a total majority of some hundreds for Jay could be changed to a smaller margin for Clinton, the votes

of three counties—Otsego, Tioga, and Clinton—were thrown out by the canvassers. With these counties omitted they reported for Clinton 8,440 votes and for Jay 8,332, declaring Clinton elected by 108. The decision of the canvassers, appointed a joint committee by the Senate and Assembly, was on party lines, 7 for Clinton, 4 for Jay.²⁵ They required eleven working days to reach this conclusion. So excited were opposing forces that the committee invited New York's senators, Rufus King and Aaron Burr, to furnish their legal opinions. "This . . . was understood by us all," Troup reported to Jay, "as intended to procure a cloak for the Canvassers to cover their villainy in rejecting the votes of Otsego. They knew Burr to be decidedly with them, and that he would give them an opinion to justify their views. Burr and King were conferring together for near two days. . . . They finally departed, and have given opinions directly opposite to each other. King's is bottomed upon sound legal and political principles; Burr's is a most pitiful one, and will damn his reputation as a lawyer. It is flatly against canvassing the Otsego votes. . . ."²⁶

Burr, in buttressing the Clinton canvassers, may have claimed a sweet revenge upon Hamilton for denying him adoption as Federalist candidate. Maybe not, for he protested that his opinion was wrung from him, "being . . . averse to interfere in the business," and that he decided without favor.²⁷ When the majority of the canvassers had thrown the election to Clinton, they burned the disputed ballots. This by no means ended the controversy. An overflow indignation meeting in Broadway June 18 with Nicholas Low presiding damned tyranny of Clinton and his cohort, and called for protests elsewhere.²⁸ These were not long in coming. Schuyler was not more "grievously afflicted with the gravel" than by "the infamous decision of the Canvassers. Committees are forming in most of the counties."²⁹ Though others were blasting ballot burglars, Jay himself, out on his circuit, delivered himself of a sentiment worthy of a tombstone. He replied to his wife's excited bulletins: "A few years more will put us all in the dust; and it will then be of more importance to me to have governed *myself* than to have governed the *State*."³⁰

When the Chief Justice returned to his state, vociferous welcomes by his outraged defenders in the northern towns, culminating in toasts and cannon salutes in New York City,³¹ seem to have

stirred his own resentment. Rufus King, ever firm for law, took Benson in his carriage to meet Jay. "The concourse was immense. . . . The shout was for 'Jay & Liberty.'" Such receptions and addresses, King acknowledged to Hamilton, "together with Mr Jays answers leave no . . . doubt that the question will be brought to a decision. . . ." He saw no prudence in an appeal to the people, but Jay "deems the occasion such as will justify the step should it be found that the powers of government are insufficient to afford a Remedy." Should Clinton cling to the governor's seat in face of the hostile majority "and the sword be drawn, he must go to the wall. But this . . . is a dreadful alternative . . . if this case will justify a recurrence to first principles [violent ouster], what are we to expect from the disputes, which might . . . arise in the succession of the Presidency? and how are we to place confidence in the security of our Government?"³²

Hamilton, often thought of as strong-minded to the point of imperiousness in pressing his policies and rash in manifesting his resentments, counseled moderation in the aftermath of Jay's defeat by Clinton. His regularity now did something to cancel his demerit on a later occasion when he proposed to Jay, then governor, an unworthy election maneuver. He cautioned Rufus King against "conventions and the bayonet," which some threatened as means of overthrowing the decision of the canvassers of the vote. There was no telling where such retaliations would stop. The opposers of Clinton were the friends of order, "and . . . it will ill become them to give an example to the contrary." Better limit redress to some amendment of New York election laws, possibly prosecution of canvassers of proven bias. Public indignation over the fraud should be kept alive, but "beware of extremes!"³³

Not sure that King had received this warning, Hamilton in a few weeks repeated his admonitions. Rejudging the verdict of the canvassers in a convention dangerously resembled "reversing the sentence of a court by a legislative decree." Those appointed had legal and final authority to decide, though he held their conclusion to contain more error than right. An attempt to undo it might lead to constitutional revisions not wanted by the friends of correction. "Men's minds are too much unsettled . . . at the present juncture. Let us endeavor to settle them, and not to set them more afloat." Jay should be guarded against being too

receptive to protests on his behalf. Hamilton acknowledged that he was cool because "out of . . . reach of the contagion."³⁴

Characteristically anxious to post himself on the issue, he followed this by asking King for the legal authorities the latter had relied upon in giving his opinion that the decision against Jay was mistaken.³⁵ King in reply cited English cases establishing beyond doubt that sheriffs should exercise their offices beyond the term of appointment if no successor had been installed. The practice was common in this country. However, Hamilton need not fear a convention, for Clinton's majority in the Assembly would refuse to call one.³⁶

The differences that developed between Jefferson and Hamilton were due partly to contrasts of temperament, environment, background, and experience. The trouble sprang also from the momentum with which Hamilton entered on the national enterprise as compared with the lethargy and distaste of Jefferson. Hamilton, on the ground, had worked for years for this very opportunity—removing obstacles, forwarding constructive measures, anticipating next problems, and providing solutions. This was the purpose that possessed him. Not only his mind but his heart was in it. He was in love with the noble ideal of creating a vigorous, expanding nation. Nothing was too difficult or interfered too much with his private concerns. He exerted himself in this behalf not from a sense of duty, nor with an eye to his own fame, but from a consuming affection. This was his own fulfillment. ✕

Jefferson, on the other hand, had just returned from years abroad, did not know the game in this country or the rôles played by different actors in his long absence. He had come from a scene of decay which was to be swept off the boards by political and physical violence. With this apocalypse he had sympathized; indeed, to it he had contributed, not indigenously, but as an outsider, a world evangel.³⁷ He heard voices, saw visions, but was far from the stage of devising institutions or finding ways and means of equipping a new social order. The France that he had left was far behind America in political progress, was in a seizure of révelation and revolution from which she would be long in emerging. Jefferson was tired and homesick, and home to him meant not the national capital, not fresh involvement in affairs of

state, but his rural retreat of Monticello, his farm, his library, his family.

Judge of his inertia in his state of rest by his response to Washington's invitation to him to enter the Cabinet as described to his friend Madison: ". . . the President's of the 21st was sixteen days getting to my hands. [Monticello is some three hundred and sixty miles from New York.] I write him by this occasion my acceptance, and shall endeavor to subdue the reluctance I have to that office which has increased so as to oppress me extremely. The President pressed my coming on immediately," but he could not arrive till the last of the month. Would Madison (who was in Congress) explain to Washington the particular reason? "My daughter is to be married on the 25th to the Mr. Randolph whom you saw here. His father will come only a day or two before that to arrange the provision we mean to make for the young couple, and that this may be perfectly valid, its execution must take place before the marriage. Thus you see that the happiness of a child, for life, would be hazarded were I to go away before this arrangement is made."³⁸

The stereotype of Hamilton and Jefferson as historic antagonists may owe most to their extra-Cabinet contest in the gazettes in 1792-1793. Here were paraded in print many of their differences which were muted in executive conference or obscured in legislative maneuver. The quarrel was made more notorious, for later generations, by Washington's ineffectual effort to stop the public dispute. It is difficult to say who began the unseemly or scandalous performance. Philip Freneau, editor of the *National Gazette* of Philadelphia, with his barbs, had presumed on the patience of Hamilton and could not have been surprised when the Secretary of the Treasury opened his counteroffensive. Hamilton wrote under assumed names—American, Fact, Amicus, Catullus, Metellus—for a while under several. Though he declared that the printer would reveal his identity to any inquirer who considered himself injured, he himself continued to use noms de guerre. However, this was hardly a culpable screen,³⁹ for the vigor and materials of his attack left little doubt of his authorship. Jefferson, for his part, swore by heaven that he was a complete stranger to the fray, neither took up his pen nor inspired the replies of others. Of these others we may be sure of Freneau,

though the two under the same name of Aristides, and the champion who offered no signature to his *Vindication of Jefferson* may only be guessed at.

As Freneau's disparagements of Hamilton and his policies precipitated the newspaper war with Jefferson, it was natural that Hamilton in his counterattacks should characterize the *National Gazette*. "No man," he said, "who loves the government, or is a friend to the public tranquillity, but must reprobate it as an incendiary and pernicious publication. . . ." ⁴⁰ The object of the paper was "to vilify and depreciate the government of the United States, to . . . traduce the administration of it" (except for the Department of State). ⁴¹ No reader of the issues (semiweekly) could escape the settled purpose to discredit the national authorities by direct assault, sarcasm, and mockery. Aside from foreign news (mainly translations from Dutch and French papers), and reports of debates in Congress, the staple of these columns was jibes at the Federalists. In the form of Freneau's own offerings, clippings from other papers or letters to the editor (genuine or supposed), they betrayed prejudice in the repetition of general censures. "Monarchical party," "monied aristocracy," "monocrats" must have been kept in standing type for ready insertion. The funding system came in for regular drubbing—a sort of setting-up exercise of the editor. ⁴² Its leading features, cartooned, were separately damned. "An irredeemable debt . . . is hereditary monarchy in another shape. It creates an influence in the executive part of the government, which will soon render it an overmatch for the legislative. It is the worst species of *king's evil*." ⁴³

As the Secretary of the Treasury was a favorite target, ⁴⁴ whatever could be connected with him was the subject of criticism. If Duer was blamed for originating the President's ominous levees, his sin was deeper because he was the "councillor . . . of the S—— of the T——." ⁴⁵ If the Society for Useful Manufactures was assailed as fraudulent, that corporation was part of Hamilton's ambition to introduce industry. ⁴⁶ Of course, Hamilton's sallies against Jefferson caused Freneau to deploy all his forces, though on the defensive. Then when Giles introduced resolutions to pillory Hamilton in Congress, the Democratic editor's shafts flew thick. ⁴⁷

The tocsin sounded when Hamilton, signing himself "T.L."

inserted a few lines in Fenno's paper: "The editor of the *National Gazette* receives a salary from government. Quere.—Whether this salary is paid him for *translations*, or for publications . . . to oppose the measures of government, and, by false insinuations, to disturb the public peace? In common life it is thought ungrateful for a man to bite the hand that puts bread in his mouth; but if the man is hired to do it, the case is altered."⁴⁸

Immediately "A.Z." (Freneau?) answered. As it was not disputed his work as translator was satisfactory, "there the business ends." He was free to edit his press. "T.L." (evidently mistaken for Fenno) must not judge Freneau's morals by his own. At how low a price was he for sale? To set this straight, Fenno in an appended note assured that "T.L." was neither editor, publisher, nor printer of any paper.⁴⁹

In the next issue of Fenno's paper "T.L." was at Freneau again, following up his earlier query with another the effect of which was to score Freneau's constant dispraise of government.⁵⁰ John Beckley of Virginia, clerk of the House and eager transmitter of whatever was injurious to Federalists, was more than suspicious that Hamilton, as "T.L.," was the attacker of Jefferson. Hamilton's friend Heth, collector of customs on the James River, had dropped a hint that convinced him. Further, Heth informed "that Mr. H. unequivocally declares" Madison to be "his *personal* & *political* enemy."⁵¹

A concerted effort was making to join Virginia to New York to substitute Clinton for Adams as Vice President. The Republicans would drop Burr, and he would support Clinton. Beckley communicated these plans to Madison, Monroe, and Patrick Henry. However, Hamilton was pushing his Federalist electioneering. Beckley found "His efforts direct & indirect are unceasing & extraordinary," but he might be defeated by exposure of corruption in the Treasury. Said Beckley, "I think I have a clew to something far beyond mere suspicion on this ground, which prudence forbids a *present* disclosure of." This was doubtless a forecast of the Reynolds scandal which, with its falsity, Beckley was obliged to wait five years to exploit. In the meantime Virginians must be watchful of Hamilton; "there is no inferior degree of sagacity in the combinations of this *extraordinary* man. With a comprehensive eye, a subtle and contriving mind, and a soul devoted to his object,

all his measures are promptly and aptly designed, and like the links of a chain, depend on each other, acquire additional strength by their union. . . ."⁵²

"An American," pretending to be quite distinct from the "T.L." above, but remarkably able to amplify the latter's insinuations, paused only briefly over Freneau. Jefferson's party attracted him to Philadelphia to edit its organ, Jefferson gave him a salary in the State Department, and Jefferson's animus spoke in the translator-editor's attacks on the central government. He then pictured Jefferson as equivocal on the Constitution when under debate, and positively opposed to main measures of Congress, particularly those proceeding from the Treasury. He had been willing to see our debt to France, on which he thought we might default, shifted to private investors in Holland, a discreditable fraud. If the people wanted continuance of public order, respectability, and union, they should know that Jefferson stood for the reverse of these benefits.⁵³

This damaging indictment drew from Freneau an affidavit, sworn before Mayor Matthew Clarkson, that he was "at no time urged, advised, or influenced [by Jefferson in setting up his paper in Philadelphia], but that it was his own voluntary act. . . ." Neither he nor the paper was ever attempted to be biased by Jefferson or Jefferson's friends, "nor was a line ever, directly or indirectly, written, dictated, or composed by that officer," but he ended with a flourish, "the Editor has consulted his own judgment alone in the conducting of it—free—unfettered—and uninfluenced."⁵⁴ "T.L." at first opportunity candidly retracted his earlier imputation that Freneau was paid by the State Department in the double capacity of translator and editor, but then went on, unworthily, to criminate him otherwise.⁵⁵

The same day, in the longer cloak of "An American," Hamilton rebutted Freneau's solemn affidavit. If literally innocent, he was still factually blamable as editor for an "*improper* connection with the Secretary of State." If Jefferson did not bring him to Philadelphia, the secretary's confidential friend (meaning Madison) was the go-between. Freneau was engaged as translator just before, as *quid pro quo* it was urged, he started his paper. However, the impropriety of Freneau was incidental, for the theme was the exposure of Jefferson who did not scruple to disparage the government of which he was a member.⁵⁶

Elias Boudinot had informed Hamilton in the first place of Madison's "negotiation" with Freneau to commence a Republican newspaper in Philadelphia. Hamilton tied this in with Freneau's clerkship and made his accusation that Jefferson kept his editor with public funds. Three weeks later, when Freneau had entered such pointed denials, Hamilton reverted to Boudinot for precise details and if possible an affidavit from his informant. Hamilton concealed from Boudinot that he himself was the attacker, in the newspapers, of Freneau and Jefferson.⁵⁷

Boudinot's son-in-law, Judge Bradford, was with him when he got Hamilton's letter, and volunteered surprising confirmation of the worst suspicions. Bradford believed that Freneau, in New York, complained that Jefferson wrote him a letter which struck at his independence. In dudgeon, he wrote an insulting answer, which, however, Childs, the printer, dissuaded him from sending. Bradford would doubtless repeat this to Hamilton.⁵⁸

Hamilton also sought from Jonathan Dayton substantiation of the charge that Freneau's clerkship in Jefferson's department was a consideration for editing an antiadministration newspaper. Dayton affirmed that Jefferson engaged Freneau to repair to Philadelphia as translator, and later Madison negotiated for the newspaper. Dayton implied an evil relationship between Freneau's pay and his opinions. In confidence he revealed that Francis Childs, one of the printers of Freneau's paper, was his informant.⁵⁹ Soon Jefferson was explaining to Randolph, also the confidant of Madison, that he refused to reply to Hamilton—it would only be over his own name—so long as the latter remained anonymous, for all the advantage was with the contestant under cover. Further, he (and the President) condemned the "indecent . . . of newspaper squabbling between two public ministers. . . ." All of Hamilton's allegations against him were false.⁶⁰

When Madison, in Virginia, saw "American's" assault he at once branded it for origin and motive. The controversy as it developed would support Jefferson's character. He himself was innocent of Hamilton's insinuations. Certainly he had promoted Freneau's public appointment, first at the prompting of Henry Lee. Also, he advised Freneau to establish a paper at Philadelphia, for his own advantage and to afford a republican antidote to monarchism and aristocracy. It was malicious to say that he (Madison) pro-

moted the clerkship to secure a party press. On reflection he had refrained from a reply over his signature.⁶¹

Soon Jefferson found a systematic defender in "Aristides." He opened with the broadside that the accusations against Jefferson were "founded in the basest calumny and falsehood." He laughed at calling the Secretary of State a Cataline or incendiary, and would accept the invitation to contrast the character of the critic. Jefferson should not be reproached for offending against the public credit unless the particular facts were given. These would show the opposite of what Hamilton alleged.⁶² As "Amicus," Hamilton answered, speaking of himself in the third person. How could it be asserted that he had opposed the Constitution as too republican when in fact he was the only delegate of his state who signed it?⁶³

The newspaper fray between Hamilton and his enemies was waxing when his old friend Henry Lee, of Virginia, pleaded for accommodation. Lee from admiration had proposed Freneau for appointment in Jefferson's department. He professed his unabated friendship for Hamilton, "altho I never did nor never can admire the funding system of which you confessedly was the father." If political dissent did not destroy his regard, "Why do not these virulent partys coalesce? is there no middle ground on which a union might be formed" to promote public harmony[?]⁶⁴

Fenno's *Gazette* resounded with the war when Hamilton had two long salvos on one day, September 15, "Fact" and "Catullus to Aristides." Under his new pseudonyms Hamilton pretended to be not the person who originally made the charges, but he is responsible, informed, will reveal his name, if required, to "Aristides," who he implies is Jefferson. He reiterated his main count, that Jefferson was "*institutor* and *patron*" of Freneau's paper that consistently abused the administration (all but Jefferson's department). Hamilton had been ferreting out particulars, and had it that Freneau had received his salary from the State Department for ten weeks before his paper commenced. Moreover, from circumstances which Hamilton detailed, Freneau's employment as translator was an excuse to pension a printer. In his next, "Catullus" would expose Jefferson's dishonest intentions respecting the French debt.⁶⁵

According to promise, Hamilton next recited Jefferson's recom-

mendation, before the Constitution was adopted, that the debt of America to France be assumed by individuals in Holland with acquiescence of this country. The reason was that if we were to be delinquent, better rob anonymous investors than prove recreant to a court whose good will we must cherish. Hamilton showed that the Board of Treasury repulsed this suggestion, and he added his own indignation to the sense of fiscal error. We would need the future succors of the Dutch, but Hamilton's condemnation fell on the immorality of the proposal.

This was only one, and incidental, illustration of the guide of Hamilton's Treasury policy, that it be grounded in what was durably right. By comparison Jefferson's expediency was shallow and misjudged, if not reprehensible. It will bear a little documentation. The American government's bankers in Amsterdam deplored a scheme in the autumn of 1789 "to negotiate a Loan here for France upon Security of the Debt due to that Court by the United States. . . ." This should be averted as injurious to American credit. France too would do better to have America borrow in Holland and thus extinguish the French claim. Our Amsterdam bankers begged to be authorized to do this. "The Transfer unto the Money-Lenders of this Country, of the Debt due by the United States to France, has . . . long been a favorite measure of His Excell^y Tho^s Jefferson. . . ." This was mentioned not in accusation, but to show that he would now support the bankers' plan of having America borrow directly rather than permit France, in poor credit, to seek funds on pledge of what we owed her.⁶⁶ Two months later our financial agents in Holland exerted themselves to defeat execution of an offer of some gentlemen to the French ministry "for shifting the Debt due to that Nation by the United-States against an Exchange of French Funds." They were alerting the Secretary of the Treasury, and begged Short to urge Necker to suspend any alienation of the American debt until the pleasure of the United States was known. This was "to avoid the . . . Dignity of the Government and Credit of the United-States, being sported with by individuals. . . ."⁶⁷

Hamilton reinforced his earlier assertion that Jefferson had temporized concerning adoption of the Constitution. He had counseled, from Paris, that the first nine states ratify, to secure its solid advantages, and the next four should refrain and insist

on needed amendments. Hamilton demonstrated that this program would have invited disunion.⁶⁸ The fact was that Jefferson had been too removed from the scene to offer applicable advice. On top of that, what he lightly proposed was a perilous formula, with no appreciation of the energies needed to bring the new government into being. His heart was not in the project, so he let his fancy wander dangerously.

Jefferson's champion was answered by others, or perhaps by Hamilton under still more names. Whether in a couple of sly paragraphs, or in three solid columns of sarcasm,⁶⁹ the ill feeling was cumulative as one paper quoted another, editors added their bits, and new advocates of one side or the other enlisted. In instances, the whole issue of a leading gazette would be taken up with these alarms and their reverberations.⁷⁰

By the end of September "Catullus," repeating particular charges of "American"—both authors being Hamilton—was pressing the central contention that Jefferson's policies tended toward national insignificance. Opposition to funding while it was yet in discussion should have been adjourned once the system was adopted and became the bulwark of public credit. It was wanton to attempt to tear down what, by its nature, must be a continuing national commitment. Hamilton in animated phrases characterized the pretended philosopher who was in fact irresponsible. He added illustrations of Jefferson's hostility to union. One was the Virginian's supposed thrust—in a prefatory note to Paine's *Rights of Man*—at the patriot principles of John Adams. Hamilton, at this time the admirer of Adams, said he possessed "a high and solid title to the esteem, the gratitude, and the confidence of his fellow-citizens." For himself, Hamilton wished for windows in his breast that America might search his motives. This bravura was justified by his solemn profession which followed. He had not been sure that republican theory could succeed in this country, but he had steadily promoted "the sublime idea of a perfect equality of rights among citizens." The best means to this end was "a liberal and efficient exercise of the powers of the national governments."⁷¹

President Washington tried for a cease-fire between Hamilton and Jefferson by remonstrances to the two, simultaneous and in similar terms. Both letters commenced with other topics

and neither minister was directly accused, but the personal plea was as unmistakable as it was solemn. To Hamilton he observed, "Differences in political opinions are as unavoidable as . . . they may . . . be necessary; but it is exceedingly to be regretted, that subjects cannot be discussed with temper . . . or decisions submitted to without having . . . motives . . . implicated. . . ." He was chagrined that "men of abilities, zealous patriots, having the same *general* objects in view . . . will not exercise more charity in deciding on the opinions . . . of one another." A middle course would seem best until experience pronounced the right way. He hoped for "liberal allowances . . . instead of wounding suspicions, and irritating charges, with which some of our gazettes are so strongly impregnated, and cannot fail, if persevered in, . . . to . . . tear the machine asunder. . . ." Without "healing measures," "fatal consequences" would follow. Washington invited Hamilton to Mount Vernon if his reported southward journey brought him that way.⁷²

Hamilton in his reply began by agreeing that harmony was essential to energy in the government, and if peace could not be restored, substitutes must be found for the ministers at odds. He pledged himself to desist from thrusts at his opponent, except that for a while longer he must continue to defend himself and his measures against the "uniform opposition from Mr. Jefferson" and his party. The attacks on Treasury policy were so dangerous to government that replies must be risked, though they added to the discord. If the President engaged his enemies to subside, he would cheerfully enter the agreement. He regretted that he could not visit Mount Vernon (perhaps knowing that Jefferson would be there on his way from Monticello to the capital).⁷³

Jefferson on the same day answered the President's distressed plea at much greater length, upholding the merits of his quarrels with Hamilton. Nourished on corruption, Hamilton's partisans—an exaggerated number of them placemen—subverted democracy. He could not recall whether Freneau's paper was set up when he was appointed to the State Department or after. While Jefferson welcomed the *National Gazette* for its Whig commitment, he protested, several times in the view of heaven, that he never wrote, dictated, or procured to be inserted in those pages "any one sentence or sentiment" such as Hamilton charged. Jefferson had never

interfered in Hamilton's department, but had suffered obstruction from him. He was insinuating about Hamilton's origin, and sweeping in condemnation of his public purposes. Jefferson wanted soon to quit his office, and would reserve till then an intention to answer his traducer.⁷⁴

Jefferson renewed his attack on Hamilton three weeks later for the benefit of his host at Mount Vernon. That these confidences were uttered before breakfast could not have added to their moderation. Further, Jefferson had been primed for vituperation by his visit the day before at Gunston Hall, with George Mason, "just recovering from a dreadful attack of the colic," who "said he consid'd Hamilton as having done us more injury than Gr. Britain & all her fleets & armies." Washington offered to be mediator in putting an end to Jefferson's contest with Hamilton. The President pooh-poohed Jefferson's fears of a monarchical party, which did not exist. Jefferson tried to substantiate his charges. Schuyler was a monarchist, of course Hamilton another. When Jefferson inveighed against the funding system, Washington agreed there were two views about it, but "That for himself he had seen our affairs desperate & our credit lost, and that this was in a sudden & extraordinary degree raised to the highest pitch." Jefferson depreciated the accomplishment.⁷⁵

The newspaper duel between Hamilton and a few of his "*royal* and *sycophantic* band of the Treasury," or "glittering host"—his enemies' terms—on the one side and Jefferson's proxies on the other was wearing itself out by the end of the year 1792. Any effect on the national election had been registered. The give and take was running into detail which few probably cared to follow even in that day of enormous tolerance for jousting in the gazettes.⁷⁶ At the other extreme, some volunteer combatants dealt in empty generalities.⁷⁷

If the contest was to continue, it had to enter a new phase. Hamilton had first brought it sharply to public notice by firing at his tormentor Freneau of the *National Gazette*. Now his opponents lifted the curtain on the next act by moving the conflict from editorial columns into Congress. The device was inquisitorial resolutions contrived by Jefferson and Madison and introduced in the House February 4, 1793, intended to drive Hamilton from public life. The preliminary answer of the Secretary of the Treas-

ury was much in the polemical style which he had been using in the press. One of his foes crowed over his supposed predicament: ". . . no arrogant assumption of importance can avail you in the further progress of this inquiry, and . . . all [pretensions] . . . must be . . . laid aside as the . . . weaknesses of a vain man, who . . . fancies himself the . . . pivot upon which the whole machine of government turns. . . . Frank . . . acknowledgment, humble deportment, and respectful submission . . . will best accord with your present situation."⁷⁸

At no time in his career was Hamilton more harried than during this affray with Jefferson and the Republican party. He was buffeted on all sides, and must summon his wits and energies to protect his department and his personal reputation. Financial panic in New York City calling for Treasury intervention, beginnings of Western insurrection testing the excise, disordered affairs of the manufacturing society in New Jersey demanding his attention; a lengthy commercial report in reply to Jefferson's; Jay cheated of the New York governorship, Clinton the victor; his liaison with Mrs. Reynolds running into blackmail and the ugliest accusations by his political enemies. This sea of troubles seemed enough without months of thrust and parry in the prints, followed by indefatigable swift labors to answer defamations in the House. Even the meddlesome Beckley was moved to admiration in telling Madison "it is a certain fact that the whole weight of supporting his own measures through the public papers, has, since the adjournment of Congress, fallen upon Coxe & himself, not a single publication on that side having been sent to the press, from any pen but theirs."⁷⁹ No wonder that Hamilton's long-time friend Henry Lee, visiting Philadelphia, found Hamilton too much engaged for a greeting. Thus beset, it must have been grateful to receive expressions of moral support. "It is not difficult to perceive that your situation is unpleasant," Jay wrote, "and . . . your Enemies will endeavour to make it more so. The thorns they strew in y^r way will hereafter Blossom, and furnish Garlands to decorate y^r administration. Resolve not to be driven from y^r station. . . ."⁸⁰

This controversy between Hamilton and the partisans of Jefferson signalized unmistakably the emergence of political parties in the United States. Previously, in the debate over funding, there had

been challenges between champions, bellowing and pawing of the ground. Now horns were locked, and bodies strained and twisted. What appeared to be personal antagonism was deep-going political aversion and distrust. This was the patent commencement of the historical division in United States history between believers in the cautiously positive and the recklessly restrictive. Both contenders meant that the citizen should be free and flourish. To this end, one group saw the need for action. The instinct and counsel of the other was suspicion and reservation. Hamilton earlier had deplored "faction," for he was still possessed by the hope that common weakness would inspire common agreement toward rescue. But now he openly invited Jefferson to leave the Cabinet, where he was secretly intriguing, and frankly head a party of opposition.⁸¹

In the course of a century and three-quarters this distinction in American politics between the aggregative and the particular, at the start so sharp and acrimonious, has often been blurred. Party names have lost earlier meanings. Political chieftains who annually gather to honor Jefferson, on the whole follow the proclivities of Hamilton. Those who regard themselves as in Hamilton's tradition would often limit the functions of the federal government where he was for expanding them. Developments economic, scientific, and military have favored Hamilton's view that the safety of the individual is in security of the mass, rather than the other contention, that protection of the society depends on immunities of the individual. Collectivism, especially in industry and finance, have compelled potency in central government, for local and state authorities have been unable to cope with new problems which have arisen or with old ones formerly thought to lie in their bailiwicks. In a word, integration has dictated more comprehensive social controls. To be sure, all is relative. Steadfast defense of civil liberties must not subside in faith that a welfare state will respect personal rights. Quite the contrary, for mass manias are more virulent as means of communication are swifter and opinions tend to uniformity. On the other hand, government now helps to clothe the individual with rights of another sort from those first revered, namely, the opportunity to realize a progressively higher standard of living. Jefferson's freedom, if we think of its primitive form, which he later amended, was naked, excessively vulnerable. It was not translated into meaningful satisfactions. There was the

cruel contradiction of a philosopher writing "free and equal" and calling to a chattel slave to bring the blotting sand. Hamilton did not roar so loud and thunder in the index, but cherished liberty the more by furnishing the citizen with facilities for its enjoyment. Always with Hamilton government was not so much authority as it was performance; not sovereignty, but service; not power in the abstract, but serviceable administration. He was a statesman of ideals but not of theory; he was busy bringing his hopes to fruition through practical measures.

Hamilton was resentful at Madison's defection from the national views which they had shared. He was bitter because Madison, so much the colleague before, had suddenly attacked his measures. Enmity to Hamilton bespoke a willingness to risk success of the government itself. Jefferson was more to blame for reckless ambition, but by the same token Hamilton found him at least consistent in his perversity. Madison had fallen away from his own right convictions, and thus had betrayed himself as well as his former friends.

These complaints Hamilton voiced at length in a letter to Edward Carrington, the Virginia Federalist whose capacity and fidelity he always admired.⁸² Now sure that Jefferson and Madison, directing the machinations of Giles and others, were the main foes of administration policy, Hamilton resolved to counteract this powerful Virginia faction in their own state. He alerted Carrington to the danger, trusting that he would muster opposition on the home front. The appeal was accompanied by particulars as Hamilton saw them. It is the fullest summary from Hamilton's, indeed from the Federalist side, of the cleavage that had developed in Cabinet and Congress. Wounded self-esteem is blended with solicitude for the national experiment. He was especially hurt because, as he declared, he probably would not have undertaken the onerous Treasury assignment except that he believed he could count on continuance of Madison's support.

Hamilton recounted Madison's former advocacy of chief fiscal measures which he afterward assailed. True, funding of the debt, which Jefferson always opposed, Madison approved and had too much sense to repudiate. But at first he agreed to no discrimination between holders and endorsed assumption of the state debts, later to become the foe of both proposals. Hamilton contented him-

self with saying that Madison may have acted from his own reasons, or may have owed his reversal to the evil influence of Jefferson. Throughout the indictment there is recurring regret for Madison, but only profound distrust of Jefferson.⁸³ This is not the place to judge whether, in their historic association, Jefferson was the molder and Madison the molded. Irving Brant, by far the most painstaking of Madison's biographers, has collected all of the evidence, and ascribes to Madison superiority of persuasion in this famous partnership.⁸⁴ Hamilton was stung because he had worked wholeheartedly with Madison in Confederation and in recommending the Constitution to the country, and now, at the critical junction of giving effect to their mutual hopes, found his coadjutor adopting a very different allegiance. Madison's agency in urging Freneau to set up as antiadministration editor in Philadelphia was recited. Madison joined with Jefferson in warning of "some dreadful combination against State government and republicanism; which, according to them, are convertible terms." Hamilton defeated their efforts against his fiscal plans, and disclaimed any design to subvert local authority within its proper realm. But he feared that Madison had become his personal as well as political enemy.⁸⁵

It is tempting to speculate on alterations in American history had Hamilton and Madison remained collaborators. The essentials of the Treasury program would have been the same, for Hamilton, as he reminded Carrington, had triumphed there in spite of all opposition. But with Madison's prudence dissuading Hamilton's political unwisdom (say in the latter's attack on President Adams) the Federalist party might have been preserved in power for a longer period. Whether this would have entailed actual war with France, instead of near war in 1798-1800, and would have avoided our second embroilment with Britain is part of the guess. Of more importance, the political and perhaps economic division between Northern and Southern states, which Madison had early feared, could have been delayed. Of course, there were able Federalists to the southward (John Rutledge, the Pinckneys, William L. Smith, Carrington in whom Hamilton confided, and more), but Northern adherents (like King, Sedgwick, Pickering, Ames, the Morrisises) outdid them in numbers and in sectional appeal. Hamilton had every reason to know that Virginia was the focus of Southern dissent. Had Madison stood firm in that leading state, subtracting from

Jefferson's force and adding positive strength to Federalist policy, the results would have been far-reaching. Hamilton had envisioned the remarkable possibilities of a durable political friendship with Madison. When he unbosomed himself to Carrington, he knew what he and his cause had lost. However, he hoped, in vain, that further damage might be prevented.

Neutrality

HAMILTON'S letter of April 5, 1793, may have given President Washington his earliest news that war had been declared by France on England, Russia, and Holland two months before.¹

As early as April 2 Hammond, the British minister, on uncertain report of war, had received Secretary Hamilton's assurance that he was for America's strict neutrality. The information was from John Buckley, a Lisbon merchant, through his consignees in Philadelphia. A further startling announcement, by English newspapers by way of St. Vincents, was that the queen of France was put to death after trial. Three days later Hamilton confirmed the news and hastened to assure that, by latest word, Britain did not molest our vessels in any way, which was favorable to the "universal and ardent" desire for continuance of our peace.²

No sooner had news reached this government that France had declared war on Britain than President Washington called his Cabinet and the attorney general to ponder the posture in which the European conflict placed this country. To guide discussion he supplied his colleagues with a baker's dozen of queries, undoubtedly devised by Hamilton, exploring our rights, duties, and options.³ This was a usurpation of the function of the Secretary of State, though Jefferson had offered nothing. Hamilton's minute of the meeting at the President's house next morning, April 19, gave only decisions, so far as reached. On the first and most important question, "Shall a proclamation issue . . . preventing interferences of the citizens of the United States in the war between France and

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Great Britain," "it was determined by all . . . that a proclamation shall issue. . . ." Hamilton did not record precisely that the proclamation should include a declaration of neutrality on the part of our government. It was unanimously agreed that the new French minister should be received. Consideration of further questions was postponed.⁴

Ternant, as minister of France, was a holdover from the pre-revolution government; the executioners of Louis, distrusting him because of his integrity, dispatched in his place Edmond Charles Genêt. By flair and favor he had perched in a half-dozen courts of Europe before choosing the New World for his exuberant endeavors. He was a specimen of those in power in Paris—brash, egoistic, extravagant in his ambitions. He seemed to live in perpetual elation. Partly this was his effervescent nature, partly also the conviction of unquestioned mission. His instructions from the Executive Council and Minister of Marine contained the reminder, "The military preparations making in Great Britain become every day more and more serious. . . . in this situation . . . we ought to excite . . . the zeal of the Americans . . . in disconcerting the destructive projects of *George* the third, in which they are probably an object. Their own safety still depends on ours, and if we fail they will sooner or later fall under the iron rod of Great Britain." The Council was "in expectation that the American government will finally . . . make a common cause with us. . . ."⁵

There can be no doubt that his first design was to imbue us with French revolutionary ideology. Cobbett in the aftermath observed with his usual vehemence that in every popular government an anti-administration party flourished. "To this description of men the Jacobins . . . attached themselves, in every country they have been suffered to enter. They are a sort of flesh-flies, that naturally settle on the excremental and corrupted parts of the body politic." Through this faction Genêt's masters meant "to acquire a perfect command of the American Government, and force it into the war of Liberty and Equality."⁶

Hamilton's position that Genêt should be received but be told that our treaty commitments to France were suspended until we could judge of the character of government ultimately resulting there was first broached to Chief Justice Jay (April 9, 1793). The king had been beheaded, the Allies would support a regent; if a

royal envoy came should we receive him too? Rather than bind ourselves to the fortunes of the revolutionary government, it was better to wait to determine, according to events, whether the treaties were to be respected or renounced. He wished it were possible to discuss this question with Jay personally.⁷

Hardly had Hamilton got this query off by post when he sent a more urgent one to Jay by hand. "A further Question occurs. Would not a proclamation prohibiting our citizens from taking Com[mission]s &c be proper? Would it be well that it should include a declaration of Neutrality?" If Jay approved, would he draft such a proclamation?⁸

Jay, on the point of leaving town, at once sent his idea of such a paper, hastily worded. He included no mention of treaties, as he wanted time to consider that point. His document "speaks of neutrality, but avoids ye Expression because in this country often associated with others."⁹

Rufus King, immediately the proclamation was issued, was grateful for it but wished the universally understood word "neutrality" had been employed in it. Applauding Hamilton's policy, he ended with the resolve held by more than Federalists, "we must not become entangled in this mad war."¹⁰ Carrington in Virginia thought it equally the interest of France "to be vigilant in keeping the United States clear of the war" so that we, enjoying freedom of the seas, could supply her with provisions.¹¹

In spite of Hamilton's original part in the proclamation of neutrality and his eagerness to hold to that policy, Jefferson thought he endangered it by partiality to Britain. ". . . H. is panic-struck if we refuse our breach to every kick which Gr Brit. may chuse to give it. . . . every inch of ground must be fought in our councils to desperation . . . to hold up the face of even a sneaking neutrality, for our votes are generally 2½ against 1½. Some propositions have come from him which would astonish Mr. Pitt himself with their boldness." If we preserved any neutrality it was due to the President, not to his counsellors.¹²

The division of America over the European war was briefly put by Jefferson: "parties seem to have taken a very well defined form in this quarter. the old tories, joined by our merchants who trade on British capital, paper dealers, and the idle rich of the great commercial towns, are with the kings. all other descriptions with the

French. the war has kindled & brought forward the two parties with an ardour which our own interests merely, could never excite. I pray that the events of the summer may not damp the spirit of our approaching congress. . . ."¹³

French dissatisfaction with Gouverneur Morris as our minister to the Republic must have predisposed Washington and his Cabinet to receive Genêt politely when he arrived at the capital. Jefferson got news of objections to Morris at the same time from two sources, Col. W. S. Smith who had just come from Paris, and from Ternant, the French minister. Members of the Foreign Office were "entirely broken with Gouv. Morris, shut their doors to him. . . ." Morris at his own table, in presence of company and servants, "cursed the French ministers as a set of damned rascals; said the king would be replaced on his throne." He expected to be recalled. Never in diplomatic history, perhaps, was a worse misfit than Morris amidst tricolor enthusiasts. The President agreed he must come home, regretted that Jefferson would not consent to take his place.

By contrast with their rejection of Morris, the Directory was sending us Genêt with effulgent promises. He would confer "all the [trade] privileges we can desire in their countries, & particularly in the W. Indies. . . ." They proposed to send 45 ships of the line to emancipate South America, Miranda (with whom Hamilton had passages before and after) to be generalissimo. We could pay our debt to France in provisions.¹⁴

Hamilton was for meeting this sunshine with clouds if not with sleet. In discussions with Cabinet colleagues he postponed as long as possible decision on whether Genêt should be received, and if so, how.¹⁵ He was preparing for the President a thorough answer to this question. His elaborate paper (seven thousand words) is an example of his insight into a problem, his ability to foresee contingencies. The manner of treating the first minister from revolutionary France was not to be on snap judgment. If greeting him implied respect for our treaties with his country, our obligations and fortunes into the future would be profoundly affected. Our engagements were with Louis XVI who, of doubtful guilt, was beheaded by new rulers of doubtful authority. Was our commitment to the successors of Louis, or to the French nation though of changed regime? France had a right to alter her government, but

not thereby to bind her allies. The most that could be asked of us, under the circumstances, was that we suspend the treaties pending future determination according to events. This should be declared to Genêt at the outset, "lest silence on the point should occasion misconception."¹⁶ Knox concurred in this view.¹⁷

Hamilton was determined that our young nation should not be drawn into the war in Europe. He examined every proposal and development in light of this settled resolve. Some years before the French overthrew their king, Hamilton had been blamed for his monarchist, pro-English leanings. Now that war had opened between the sovereigns of Europe and the citizens of France, it was easy for Hamilton's enemies to cry "He is always for royalty and against the rights of the people." His own behavior in our Revolution should have refuted that. He always stood for the option of a country to oust a government judged to be oppressive. If he approved kingly rule it was not for the sake of the prince, but because he considered "sobriety, moderation, justice, and love of order" were more likely to accompany that form of government.

He would have been glad enough to see our treaties with France abrogated, to be replaced by better. Events took a different turn; the treaties remained in effect. Hamilton, still bent on our immunity from war, made the best of the situation. Respect for favors granted to France before she was at war did not impugn our neutrality. As for our guaranty of French possessions in this hemisphere, we were released because France was on the offensive and our treaty was defensive only.¹⁸

Genêt chose to land at Charleston, five hundred miles from the capital, receive its plaudits for ten days (April 9-19), then proceed by easy stages through the welcoming Southern country before presenting himself at Philadelphia May 9, a month after he reached these shores. The Charlestonians were predisposed in his favor, as many were of French extraction, and most were of strong democratic preference—"levellers" some call them. Here Genêt, relying on treaty rights which Hamilton soon successfully disputed, commenced to distribute letters of marque (he came equipped with 300 of them) "to . . . Americans who may fit out and try their chance against the English, Dutch, Russians, Prussians, and Austrians." Some in the crews of the two privateers under French colors were Frenchmen, others were our citizens. The French consul

condemned and sold the first prize brought in. All of this was illegal, "a dangerous commitment of our peace, without even the ceremony of previously feeling the pulse of our government."¹⁹ Of the Carolinians the Porcupine observed they "had cut the strings of their culottes, and the Citizen pulled them down about their heels."

On his flattering progress up the coast, "The best penmen among the patriots were at work composing congratulatory addresses, and their choicest orators were gargling their throats to pronounce them."²⁰ Hamilton had been forewarned of Genêt's brashness by a friend at Salisbury, N.C., who encountered the French envoy faring northward. Supporters of the administration were afraid of Genêt, but "he has a good person, fine ruddy complexion, . . . and seems always in a bustle, more like a busy man than a man of business." In all companies he talked freely of his mission, "and like most Europeans seems to have adopted mistaken notions of the penetration . . . of the people of the United States."²¹

Arrived at the capital, Genêt wrote to his home minister: "*Mon voyage a été une succession de fetes civiques non interrompuës et mon entrée à Philadelphie un triomphe pour la liberté. Le vrais Americains sont au comble de la joie.*"²² The result with Washington was less than Hamilton advised. The President directed Jefferson to receive Genêt with courtesy but not cordiality. Jefferson thought the reservation on the President's part, "a small sacrifice to the opn of Hamilton."²³ Genêt, disappointed that Jefferson did not respond to his advances or espouse the war which France waged "upon the enemies of the liberties of the people," concluded that but for his previous acclaim to the southward he would not have been recognized at Philadelphia.²⁴

Hamilton, disgusted by the popular acclaim of Genêt when he reached the capital, could have found little satisfaction in the greeting tendered the Frenchman by the Democrats of New York. King informed him of the meeting in the Fields to welcome Genêt, James Nicholson presiding. His tone was between disparagement and alarm. The Francophiles—Melancton Smith, Osgood, Brockholst Livingston—collected a small crowd, but the leaders "will not be stopped by Trifles; they already affirm that the cause of France is the cause of America," that if Genêt did appeal to the people they would know how to judge their interest. King urged

that the President use his authority; it was never expected that government should be by town meeting. The recent French decree had quadrupled sea insurance to 20 per cent.²⁵

However, as an offset, Troup would manage a mass assemblage "most respectable . . . for numbers, character & property" to cry down the French faction. "Never were men more industrious & determined than we are."²⁶ He reported afterward that the city had seen nothing like it since the protests against the Stamp act, and that all vied "in manifesting their attachment to the President & to the maintenance of neutrality & peace." Hamilton's old patron, Nicholas Cruger, was in the chair. The declaration of Jay and King, in print, that Genêt said he would go over the head of the President had "made a solid impression. . . ."²⁷

Only bursting optimism could have hatched and nourished Genêt's pretentious projects against British and Spanish on our frontiers. He had been in Philadelphia only a month when he wrote feverishly, "En attendant j'approvisionne les Antilles. J'excite les Canadiennes a s'affranchir du joug de l'Angleterre, j'arme les Kentukoïs, et je prépare par mer une expedition que secondera leur descente dans la nouvelle Orleans."²⁸ This was in accord with the Girondists' ambition to spread their doctrine of fraternity to all countries by war, until the coalition of European powers gave them war enough. At Charleston Genêt put his consul, Mangourit, in charge of a descent on East and West Florida in which Governor Moultrie at first cooperated, and Elijah Clarke (major general of Genêt's creation) participated with enthusiasm. The leader, hopefully of a body of Kentuckians and Tennesseans against New Orleans, was George Rogers Clark. In disgust that the federal government did not give him the military recognition he deserved he would expatriate himself, becoming a French citizen. He hung about the Ohio and upper Mississippi, proposing preparations which were as regularly disappointed. Friends of France (and of Mississippi navigation) started a Democratic Society at Lexington, but that bought no boats, arms, or provisions. With all his confidence and promises, Genêt was not equal to furnishing the £3000 that Clark required.²⁹

All of these schemes, illegal and impractical, collapsed with the recall of Genêt, issue of Washington's proclamation (March 24, 1794) against enlistment of American citizens in Kentucky, swiftly

followed by a similar prohibition laid by Fauchet on Frenchmen tempted to violate United States neutrality. The South Carolina legislature, and Moultrie on second thought, condemned the expedition to the Floridas. The most sorrowful part of these adventures was the further degradation of George Rogers Clark, who had been a noble figure.³⁰

Genêt's indiscretions came to a head in the affair of the *Little Sarah*, a British brig captured by *L'Ambuscade*, brought into the port of Philadelphia and renamed the *Petit Démocrate*. This business fetched him into direct collision with the government, which he threatened to disregard. He compromised and disgusted Jefferson. He gave the Federalists a perfect opportunity to damn him and all his works.

The order of events was recorded by Governor Mifflin, Hamilton, Knox, and others from intimate knowledge. On June 22, 1793, the master warden of Philadelphia reported to Mifflin that the *Petit Démocrate* "was fitting out in the same manner as privateers." Mifflin passed this on to the President, as also more particular information two days later. Receiving no response, the governor thought no intervention on his part was required, in spite of orders of the President, a month earlier, that he should detain any privateers. July 5 Secretary of War Knox confirmed to Mifflin the port warden's earlier suggestion. Alerted anew, Mifflin directed further inquiry and learned from the warden that the vessel, which usually carried two to four guns, now had fourteen iron cannon, six swivels, and a crew of 120.

The governor sent the secretary of the commonwealth, Alexander J. Dallas, to Genêt, late in the night on July 6, to request that he would suspend the departure of the privateer. Genêt "would not enter into any satisfactory assurance in this respect," or, by another version, "absolutely refused," complained bitterly of his treatment by the authorities, and "declared 'that he would appeal from the President to the people. . . .'" Any attempt to seize the vessel would be resisted with force.

Mifflin was prepared to act. He instructed Adjutant General Harmar to draft from the militia a hundred infantry and twenty artillerists with two field pieces; no pilot should take the vessel out. However, Dallas told Jefferson about Genêt's recalcitrance; on Sunday morning, July 7, Jefferson visited the French minister, and

as a result of this interview Governor Mifflin was induced to countermand his orders for arresting the privateer.³¹

Genêt refused to promise Jefferson that the vessel would not sail, but said he believed she would not be ready for sea before the President returned. This was reported by Jefferson to the Cabinet meeting at the State House July 8. As Hamilton phrased the minute, "the Secretary of State infers, with confidence, that she will not sail till the President will have an opportunity of . . . determining the case. . . ." It is not clear whether Mifflin or Hamilton and Knox in this situation first urged that a battery be established on Mud Island to prevent the French privateer from leaving the harbor. All three favored this precaution. Jefferson specifically dissented.³² Mifflin acted at once, securing from Knox 1,000 rounds of ammunition for cannon ranging in caliber from 4 to 24-pounds, instructing Capitan Jeremiah Fisher to build the platform, securing the approval of the attorney general, Jared Ingersoll; and covering the battery with 35 infantry.³³ Before the battery was ready, the *Petit Démocrate* fell down to Chester and soon put to sea. She afterward took at least four prizes.³⁴

Though the Federalists could not belabor his privateer, they made a target of Genêt for flouting our neutrality and for insolently threatening to go over the head of the President. Jay and King published their testimony on the latter offense,³⁵ and later their report with a certificate from Hamilton and Knox. This was that both Mifflin and Jefferson had told them of Genêt's insult as spoken to Dallas.³⁶ This purpose to appeal directly to the people was damaging to Genêt because he had all along disregarded constitutional authority. It was seized on the faster by the Federalists because knowledge of it came through the leading Republicans who did not conceal their friendship for France. "Every step that Genêt has taken," wrote Dallas to Gallatin, "seems a greater display of vanity than talents, and leaves us who love his cause to deplore that he was deputed to support it."³⁷ Genêt denied he ever used, to Dallas or anyone, the contumacious expression charged,³⁸ and Dallas at length felt driven to make a foggy statement, the very manner of which is accusing.³⁹

On the same day Hamilton wrote out the dozen reasons why he and Knox urged forcible prevention of departure of the privateer. The contentions were the same which he offered afterward in in-

structions to customs officers and in newspaper pieces. As against the delusion of Jefferson and the retreat of Mifflin and Dallas, it speaks Hamilton's clarity and decision. He recounted the facts of Genêt's previous violations of our neutrality and of his own word. The present refusal of assurance that the *Petit Démocrate* would not put to sea could not be mistaken. How often must this government be deceived? Of course, events proved that Hamilton's mistrust was accurate.

We were obligated to ourselves to halt this privateer until the President could arrive at the capital and pronounce on the case. Genêt, in instances cited, had insulted our sovereignty. His obvious program was contemptuously, by one infringement after another, to draw us into the war on the side of France. Finding the President inflexibly neutral, he would appeal to the people, which divisive action was nowise within his diplomatic liberty. We had promised the British minister that no more French privateers would be fitted in our ports. To permit it would be to confess dishonor or physical inability, and would invite serious British retaliation. If we must be involved in war, let it be against the transgressor (France), not against the injured (Britain).

Finally, we owed it to our relations with France herself to prevent her minister from further breach of our duty. If the privateer, in attempting to escape to sea, should be sunk by our batteries, this would be no more than she had a right to expect, and the French government would admit the justice of our action.⁴⁰

As it happened, the extended arguments of Hamilton and Knox for forcible obstruction of the French privateer were sent to the President by Jefferson (as they had not had time to make more copies) together with his contrary opinion.⁴¹ His own reasons were a compound of prudence to preserve peace, hostility toward Britain, and glowing admiration of France and her "most sacred cause that ever man was engaged in." He thought Genêt would detain the vessel for the forty-eight hours till the President's return. If not, and we fired on her, war would likely ensue. Admitting that the privateer was violating our neutrality and the President's order in such cases, Jefferson pleaded that she was ready to resist our restraint; rather than spill blood, we must let her go and complain to France, which would correct wrongs, not repeat them. He minimized Genêt's official character and offense.⁴²

To parry attacks on the administration become even more noisy because of the neutrality proclamation, Hamilton published the *Pacificus* papers.⁴³ He must have been the more ardent since, just as he began to write, Spain threatened to overturn our peace policy. The day before Hamilton's first number appeared, Jefferson wrote to Monroe, ". . . Spain is so evidently *picking a quarrel* with us that we see a war absolutely inevitable with her. we are making a last effort to avoid it, but our cabinet is without any division in their expectations of the result."⁴⁴

Pacificus was truly a political tract, with party undertones, though Hamilton expounded relative portions of the Constitution and cited writers on international law. This was the case with most of his arguments on public questions; the Constitution was interpreted to support what he believed to be right national policy. This was not chicanery. Powers and mandates in the fundamental law must be given application to urgent situations. Madison, who answered *Pacificus* with *Helvidius*, offered his contrary reading. Aside from Hamilton's exposition of that particular crisis, these papers illustrated his attachment to the executive function which has been so much enlarged in our subsequent history. They also forecast the abstention of America from European quarrels which received sharpest statement in Washington's Farewell Address.

Hamilton commenced, as often, by listing main arguments against his position, each of which he proceeded to refute. The proclamation was properly issued by the President, because the executive, not the legislature or the judiciary, is "the *organ* of intercourse between the United States and foreign nations." The latitude he accorded to the executive included the option to refuse to receive the minister of a foreign government if the latter was judged unworthy of recognition. Such action would mean the suspension of treaties. Only Congress could declare war and, subsequent to a neutrality proclamation, might of course do so.

The proclamation did not violate our treaty of alliance with France. We would respect all parts of it except that we were released from guaranteeing the French West India possessions because the alliance was defensive and France was engaged in an offensive war.⁴⁵ This last was because she actually began or declared war against the powers named in the proclamation, and that

act, whatever the antecedents, was the criterion of responsibility. The ruin that belligerency on the side of France would work for us, without a navy and surrounded by enemies, was obvious, and by itself would excuse our refusal to engage.

Nor did neutrality fly in the face of gratitude we owed to France for helping us in our revolution. Hamilton first pointed out that those fondest of this theme yet disavowed any desire to see America take part in the war. This made their plea in fact meaningless. However, nations act from self-interest, not self-sacrifice. Actually, while aid from France brought us victory, what we owed her was not gratitude. She embarked with us in order to undo, as far as possible, the British victory of 1763. Even so, her first assistance was hesitant; not until we had turned the tide in our favor at Saratoga did she seize with vigor the opportunity of separating chief colonies from her rival. Success in this was France's reward. If our gratitude was to be lodged anywhere, it was with Louis XVI, the then absolute prince, who was slain by those now claiming our loyalty. But Hamilton did not stop with nominal reasons. France could scarcely win the war with all Europe against her. The feeble aid we could afford her, outside our own borders, was in no proportion to the injuries we were bound to suffer.⁴⁶

Finally, the proclamation was issued at the proper time. Earlier, when only Prussia and Austria, not maritime powers, were engaged against France, our citizens could not offend. Only when England, Spain, and Holland entered must we guard against unneutral behavior. Nor should the President have delayed the proclamation till the arrival of Genêt, for the will of our nation must not depend on the persuasions of another.

Jefferson's embarrassments at the hands of Genêt, whom he described as "Hot headed, all imagination, no judgment, passionate, disrespectful & even indecent towards the P[resident]"—just then at a crisis in the *Little Sarah* performance—were enough without the thrusts of Hamilton in "Pacifcus." He sent Madison the first numbers, with a lament and exhortation: "Nobody answers him, & his doctrines will therefore be taken for confessed. For God's sake, my dear Sir, take up your pen, select the most striking heresies and cut him to pieces in the face of the public. There is nobody else who can & will enter the lists with him."⁴⁷ Jefferson, as usually, prudently declined the assignment which he urged on poor

Madison, sweltering in Orange. The replies of the latter speak a reluctance and ignorance on cardinal points which were reflected in the Helvidius pieces on which he labored. The episode was melancholy. Here was Madison, who just five years before on his own motion collaborated with Hamilton so joyously and expertly in *The Federalist* papers, now pressed by Jefferson into lame rebuttal of his old colleague. Much of American history is revealed in Madison's defection. While Madison did not flourish as Jefferson's penman, Hamilton's advocacy suffered less than one would suppose from the loss of an able coadjutor. His fervor was undiminished, and his fluency and enormous industry made up for the lack of a helper.

Madison at first notified Jefferson of his misgivings because he was insufficiently informed on a list of pertinent questions. He should be posted "in order to avoid vulnerable assertions . . . which might give occasion to triumphant replies." For the comfort of the disputant, any answer to Hamilton should be "both a solid, and a prudent one."⁴⁸ In response to Madison's plea for help, Jefferson withheld some secret Cabinet information, but imparted the coming recall of Genêt, gave advice on points of international law, and promised more materials. "Pacifcus" was surely Hamilton, who was all too effective in his stabs.⁴⁹

Madison answered plaintively: ". . . I have forced myself into the task. . . . I find it the most grating one I ever experienced. . . ." He worked under "a distaste to the subject, and a distressing lassitude from the excessive . . . heat. . . ." The prospect was dreary, for Hamilton would doubtless make rejoinder though Madison was so little inclined to "return to the charge." He needed more data,⁵⁰ which Jefferson promptly tried to supply.⁵¹ A fortnight later Madison, who had commenced to write, was still querulous: "The task on which you have put me" demanded that Jefferson share by a critical inspection of the first number, particularly to prevent wounds that Hamilton would inflict in counter-attack. Jefferson must also get the paper to Fenno, in some fashion that would not reveal his or Madison's hand in it.⁵² Soon he was depending more heavily on Jefferson for revisal.⁵³

This collaboration with Madison, first spurring him, then furnishing him facts, including Cabinet secrets, revising his work, even transmitting his polemics to the printer, was after Jefferson had sworn to Washington that he had no agency in such assaults on

Hamilton. But Jefferson's original and persevering part at this juncture, which was after the President's solemn remonstrance and Jefferson's promise not to offend, brings in question earlier conduct.

Madison in his "Helvidius" replies, slightly longer than Hamilton's "Pacifcus" pieces,⁵⁴ was at a disadvantage which doomed his effort to dullness. Hamilton had the affirmative, approving a policy actually in effect, and which was to be made conclusive by the law of Congress of June 5th of the following year. Madison really yielded the case before he began to argue, for he too wanted peace, and the question of when it was proclaimed or whether by executive or legislative authority was subsidiary.

If Hamilton's treatment was superficial (as Madison had the unique distinction of calling it), his own was often strained, a commentary on the Constitution which seemed to have little allusion to the problem at hand. This distant, abstract quality was attempted to be relieved by quotations from Hamilton's contributions to *The Federalist*, which, Madison averred, disputed him out of his own mouth. The partial contradictions scarcely damaged the impression of "Pacifcus," which was accurate for the present situation. Madison's logic was faulty in assuming that because Congress had power to declare war, it was not the function of the executive to proclaim that the nation was at peace. This is not to say that Madison never scored; he did, but his hits were peripheral and technical rather than substantive. Many of Hamilton's most telling arguments—as that France in our war had acted in her own behalf rather than in ours—Madison did not attempt to refute. He explained to Jefferson, his confederate in all this, what Jefferson did not need to be told, namely, that the outrageous conduct of Genêt had made the plea of gratitude to France untimely.⁵⁵

The rights and duties of the United States in international law and under treaty obligations to France were vexed questions. Answers had to be reached and put into force amidst the audacious actions of Genêt, the jealous complaints of Hammond, the British minister, and the shrilling of public meetings and the press. Since cases could not be got to the courts with sufficient speed, the executive naturally wanted judicial guidance beyond the legal advice of the attorney general. The day after Washington returned to the capital from Mount Vernon, July 12, a Cabinet meeting determined to notify the French and British ministers that controverted

matters would be referred "to persons learned in the laws," and for this purpose justices of the Supreme Court were asked to meet at Philadelphia July 18.⁵⁶

On that day Jefferson referred to the justices who had assembled 29 questions, the first 21 drafted by Hamilton, the last eight by himself, and all agreed to.⁵⁷ All foreseeable contingencies, some of them already experienced, were searchingly explored. The court must have sat a long session with its books to have furnished precise answers, reconcilable with each other under the many circumstances propounded. As it was, Chief Justice Jay answered the President that he and the associate justices who had met were reluctant to give advice without the participation of their absent brethren.⁵⁸ The President replied that he would be grateful for their opinion at their convenience.⁵⁹ Then they answered that decision on such problems belonged in the first instance to the executive, and as each branch was a check on the others, an extrajudicial pronouncement was not within their power.⁶⁰

The justices of the Supreme Court having declined to give their opinion on Hamilton's questions concerning our neutrality, it was necessary to put into effect, in the ports, rules formulated by the Cabinet and attorney general. Hamilton drafted a note to this effect which the President sent to his colleagues July 29.⁶¹ In meetings in the next days they exchanged views, as is evident on four sheets of proposed instructions in the hands of Hamilton, Jefferson, and Randolph.⁶² Hamilton revised rules of Randolph, and offered his own. While his effort was to limit warlike acts by either side so far as our treaty with France permitted, his rule which allowed a particular privilege to this belligerent was negatived by his fellow Cabinet members, and so was omitted from the list as sent to the collectors. It was "That Vessels, which were armed before their coming into our ports, shall not be permitted to augment their military equipments in the Ports of the U States but may repair or replace any . . . which they had when they began their voyage for the U States; but this however shall be with the exception of Privateers of the Parties opposed to France who shall not refit or repair."

By command of the President, Hamilton, August 4, addressed the rules to the collectors.⁶³ Each officer was to report to his governor and district attorney any infringements. They began

with treaty privileges of France, but made it clear that no armed vessel originally fitted out in one of our ports by either party at war was henceforth to have asylum in this country. Nor should such a privateer bring or send in any prize. Copies of the rules were sent to the governors and to ministers of the belligerent powers. The day after the instructions were dispatched, Hamilton agreed with other department heads and the attorney general that any prizes made by French vessels originally fitted out in our ports must be restored or the United States would feel bound to make compensation to the owners. The Secretary of State wrote this decision to the French minister.⁶⁴ In the period of our hard-won neutrality Hamilton was generally accused of partiality to Britain. However, two of his good friends, and in Virginia too, thought his circular of instructions to the collectors concerning privateers and prizes too favorable to France. Governor Lee understood the directions gave offense to the British minister,⁶⁵ Heth (collector at Bermuda Hundred) reported Hamilton's tone was disapproved by loyal Americans because of Gallic leaning.⁶⁶

Hamilton's "No Jacobin" pieces in New York and Philadelphia papers in August, 1793, commenced with the rumor that Genêt had threatened to appeal from President to people. He all but said that Genêt had declared his intention in a newspaper a few days earlier. To forestall deception of the public, Hamilton countered two main pretensions of the French minister. First, France had no right under the treaty to fit privateers or sell prizes in our ports. Second, we were not to blame for the rule of seizures at sea which Britain followed. This was the law of nations, that enemy goods in a friendly ship are legitimate prize, while goods of a friend in an enemy ship (unless contraband) are exempt from capture. France complained that we should demand Britain respect the contrary system which was stated in our treaty with France. This provided that France could not take British goods on American vessels, and similarly Britain must not take French goods in our neutral bottoms. This new practice, for which France contended, was not embodied in our treaty with Britain, so we were powerless to protest when she rifled our ships for French possessions.

These rejections of French claims were argued in detail, with full citation of authorities, as though Hamilton were laying the case

before an admiralty court. He presumed on the attention of newspaper readers, of whom he cannot have had many in so taxing an exposition, though his reasoning must have been conclusive with the thoughtful. However, before the series was stopped when he fell ill of yellow fever he had resumed his habitual style of persuasive simplicity. In the last number, in mid-August, he condemned Genêt's "system of electrifying the people" as a stimulus to official agreement with him. Worse, Genêt insulted our government by sending out privateers, with American citizens in the crews, and authorized the French consul to set up a prize court at Charleston. Americans were reminded of the contumacious exit of the *Petit Démocrate*.⁶⁷

Fortunately, in his capacity as chief customs collector Hamilton could do better than preach neutrality in the papers. He instructed his officers at every port to "have a vigilant eye upon whatever may . . . contravene the laws." These requirements, though the President expected they "will be executed with the greatest . . . activity, and impartiality," were flouted at Boston. The very day Hamilton's circular appeared in the papers, sailed into the harbor two prizes of a privateer fitted out by the French consul with approval of the governor and council and against the protest of the attorney general. The marshal got control of one prize only after she was left by her protecting frigate. The privateer was equipping to cruise anew. Higginson, who indignantly informed Hamilton, laid the disobedience of officials to political hostility.⁶⁸

Early in August when the Cabinet was debating almost daily the vexed questions of what to do with Genêt and his privateers and prizes, the President broached to his colleagues whether Congress should be called in special session. Jefferson who was for the proposal, all but cheered aloud when Knox, the "fool . . . blabber," indiscreetly exclaimed "we shd have had fine work if Congress had been sitting these last two months." (The executive would have been belabored worse than in newspapers and popular resolutions, and likely been undone.) Hamilton, as Jefferson alleged, tried to repair the damage of Knox's admission. He thought Congress would have supported the President. Actually, this must have been his opinion, for, though his judgment was against calling Congress now, he was not opposed if others wished it. All wrote opinions. Hamilton passed the issues in review, found none de-

manded emergency treatment. Randolph agreed with him and Knox, so the executive was permitted to continue its successful management of our exit from international embroilments.⁶⁹

In addition to all else—illness, Treasury duties, Cabinet counsels—Hamilton never let up in his determination to keep this country out of war, especially on the side of France. He assailed the loose thinking which equated the French Revolution with our own struggle for freedom from Britain. With realism he demonstrated that the warlike aid we could give France, in Europe or in America, was negligible. She would do better to keep us a neutral. Also, he argued that, should we abstain from the European conflict, we would not be menaced by the victors were France overcome. The power of his papers was in putting actualities of the case, bringing the subject down from the clouds of emotion.

The two "Americanus" pieces appeared in Philadelphia newspapers in January–February, 1794, in the welter of publicity given to our relations, as a neutral, with France and Britain.⁷⁰ Hamilton's articles served, propitiously, as interpretation for documents, such as letters between Jefferson and Genêt, which were printed in adjacent columns.⁷¹ At the same time the Democratic Society of Philadelphia was proclaiming unneutral resolves. Thus " . . . we view with inexpressible horror the cruel and unjust war carried on by the combined powers of Europe against the French Republic" and "attached to the French nation (our only true and natural ally)" by ". . . liveliest gratitude for . . . generous services she has rendered us, while we were struggling for our liberties . . . we cannot sit passive . . . while she is . . . contending against a world, for the same rights which she assisted us to establish." The society all but enlisted us in the war on the side of France.⁷²

Among "toasts drank" by the French Society of Friends of Liberty and Equality was "The popular societies of the universe."⁷³ Though Jefferson and Madison, who were to lead the Democratic-Republican forces, had already repudiated Genêt, the societies he had encouraged continued to support him and his cause. They gave to the inchoate party whatever organization it possessed, and later it was seen that they had fostered it. Genêt was at his most gratuitous in seizing every opportunity to excite Americans to his side. He had all of the enterprise, but none of the subtlety, of the public-relations man. Thus he published his dispatch to his con-

sul Hauterive, notifying that the Duke of York was taken with his army, and Toulon was retaken. "The whole people in Philadelphia," Genêt averred, "are in the greatest joy. . . . Let all our friends know this news and . . . cry out together, Vive la République."⁷⁴

The "Americanus" essays had been written earlier, and were held for timeliest publication, as Hamilton explained in a prefatory note. He made several trials on the same obsessing theme, as is evident from unpublished fragments among his papers. These unfinished polemics were in some respects more condemnatory of leaders of the French Revolution than were his published papers. He elsewhere accused them of instituting anarchy, but here he called them atheists, the enemies of all who valued religion.⁷⁵

Of course Hamilton, as spokesman of the Federalists, regarded the French chiefs as "the incorrigible adversaries of National Order and Property."⁷⁶ He looked upon them as nearly all Americans, beginning a century and a quarter afterward, saw the Russian Revolution—a political and economic paroxysm, and godless. The difference in the two periods was that in Hamilton's day a large proportion of the American people were partisans of France, which had been our ally in victory. The "tranquillity, order, and prosperity"⁷⁷ later (much through Hamilton's efforts) established in this country were then missing. Men did not have an investment in system. In America in our own day, when a national stake in prudence has been acquired, only a few espoused the experiment of the Soviet Union, made more unpopular because Russia, so far from aiding us to victory in the First World War, had deserted the Allies. In fact, in the case of the Bolsheviks, America joined her Allies in military exertions to put down the revolution.

As "Americanus" Hamilton confessed his own enthusiasm for the French Revolution in the beginning, from which he was quickly and permanently disillusioned. Every succeeding explosion discovered leaders more reckless, and postponed the day, if ever it should come, of a France "free, secure, and happy." If France by her internal tempests did not invite defeat by her enemies, but was able to stand them off, she "may find herself at length the slave of some victorious Sylla, or Marius, or Caesar."⁷⁸ This piece of foresight faithfully depicted Napoleon. However, Hamilton guessed wrong about the duration of the war; he thought it must soon be

over, when it would appear that France could or could not be successfully invaded.⁷⁹ He would have been gratified could he have known that the protracted conflict in Europe would finally be the instrument of turning America frankly to his program of rounded national development after our brief embroilment.

Hamilton reviewed, and discarded one after another, the means of financing military aid to France. We could not send an army large enough or fast enough to be of any account. Besides, the true wants of France, he perceived, were "system, order, money, provisions, arms, military stores." War would make our contribution in supplies more difficult.⁸⁰ Nor could we injure Britain enough to be of material help to France. Loss of our commerce, and depredations of our privateers on hers, would hurt Britain, but her public credit remained strong, she possessed the solid qualities France conspicuously lacked.⁸¹ Let Europe exhaust herself in a destructive war, while this country remained at peace, and our future would surpass imagination. His arguments were the same he used later to promote the Jay treaty.

Shortly before Hamilton's plea to keep America at peace, one of the propositions of the Democratic Society had been that it was our selfish interest to favor France. Her enemies were "making war against . . . liberty itself." If those despots succeeded in destroying freedom in France, "they will not rest satisfied until they have exterminated it from the earth. . . ."⁸² Hamilton practically quoted this, and showed that invasion of America by countries depleted in overcoming France would be impossible. Anyhow, they would not impose monarchy here, only to prove it a superior instrument of our national unity. He contrasted our revolution with that of France on all essential points, thus answering loose talk of political affinity. He ended with generous wishes for the return of France to paths of prudence and happiness.⁸³

In the wake of the "Americanus" pieces came a characteristic letter from Angelica Church in London, with heartfelt relief at the Hamiltons' recovery from the plague, but foreboding of national trouble. Her anxiety was because "the Americans here speak of a war between this country and one a thousand fold dearer to me (which Heaven avert) in consequence of an order from the British Court, to take all ships lading [?] to France and her colonies." Church was particular that Hamilton should have this news.⁸⁴

The running fight between Hamilton and Jefferson ended in retreat for the Secretary of State. The President had approved Hamilton's policies, domestic and foreign. Genêt by his antics had abashed the friends of France, who were principally Republicans, and by the same token had justified the Federalists who all along had enlarged on the enormities of the *sans culottes*. In the end Jefferson's disgust with Genêt was sharper than Hamilton's. To Hamilton, Genêt's impudence in presuming to set up a second sovereignty on our soil was a perfect political weapon. Until Genêt threatened to appeal to the people against the President he was tolerated by his partisans, but after that his prospects were blasted. The Federalists, upholding the President, had little trouble to cover the upstart with resentment. To Jefferson, Genêt was, in succession, a disappointment, an alarm, and a humiliation. The guillotine had hacked at Republican necks in America as well as at aristocratic ones in Paris, but the insults of the minister of revolution proclaimed on our soil almost ended, for the nonce, sympathy with France. The recoil of his misdeeds was declared by Jefferson. Genêt's appointment was "calamitous." His "groundless propositions, & . . . most dictatorial style," if known to the people "will excite universal indignation. He renders my position immensely difficult," for hardly did Jefferson calm him than he committed a new extravagance.⁸⁵ On the eve of demanding Genêt's recall, "*He will sink the republican interest if they do not abandon him.*" Hamilton was pressing "eagerly" an appeal to the people, which Jefferson hoped to prevent though the President seemed to favor it.⁸⁶

Soon after the episode of Genêt, the Secretary of State acted on his wish to quit the Cabinet, and withdrew to Monticello. True, the Republicans revengefully pursued Hamilton in the next session of Congress, but here again he triumphed by disproving their accusations.

Jefferson's defeat was symbolized in his letter asking for Genêt's recall. Comically, it was addressed to Gouverneur Morris, our minister to France, who was regarded there with hostility similar to that visited on Genêt here, and whose own recall followed fast. Of course, the representations of our Secretary of State were to be passed on to the French Directory (or Executive Council) and would be eyed critically not only there but by France's enemies and

the people of this country. Hamilton drew two memoranda for organization of the letter and complaints to be rehearsed, both of which, but especially that dated August 2, appeared in part in the result. Jefferson made similar notes beforehand, and Randolph fewer.⁸⁷

The letter to Morris indicting Genêt was dated August 16, 1793, but it had been under discussion in the Cabinet and in course of composition for a fortnight. On the first of the month, meeting "at the President's to consider what was to be done with Mr. Genêt," all agreed his conduct should be recited to his government and his recall be required. Knox wanted besides "To send him off," but the others resisted this. All but Jefferson were for notifying Genêt of our protest and request for his exit. Hamilton, in Jefferson's report, "made a jury speech of three-quarters of an hour . . . inflammatory & declamatory" in favor of publishing the whole to the people. Randolph opposed this appeal. Jefferson reserved his objections till next day, when Hamilton renewed his argument for airing our case against Genêt. Jefferson opined that the object would be to down the Democratic Society, and he was led into urging that it would soon expire if left alone, but would spread with vigor if proscribed. He gave other and better reasons for avoiding public controversy. His last objection, in answer to Hamilton, was closer to his heart than to logic; it was that this country should not join France's enemies in charging that she was trying to subvert governments to her design.⁸⁸

The President liked Hamilton's proposal of taking the case to the people. He liked it more when Knox, approving, referred to a recent newspaper pasquinade placing King Washington on a guillotine. At this the President all but broke up the meeting. He was "much inflamed, got into one of those passions when he cannot command himself, ran on much on the personal abuse which had been bestowed on him, . . . that *by god* he had rather be in his grave than in his present situation. That he would rather be on his farm than to be made *emperor of the world* and yet . . . they were charging him with wanting to be a king. That that *rascal Freneau* sent him 3 of his papers every day, . . . an impudent design to insult him. He ended in this high tone," after which the question of justifying to the people the ouster of Genêt was further postponed.⁸⁹ The wisdom from the Federalist point of view of

discrediting the democratic club was evident when the movement extended itself to most of the states, furnishing centers for the political opposition, and provoking Washington's condemnation of the clubs to Congress.

Jefferson's draft of his long letter complaining of Genêt was considered by paragraphs by the Cabinet and attorney general on August 20. Only one phrase was objected to, that in which Jefferson said it would be a shame if America, by Genêt's ineptitude, were drawn into war on France, furnishing the reproach "*of liberty warring on herself*." Hamilton wanted this stricken. We were not to declare that the cause of France was that of liberty, "that he had at first been with them with all his heart, but that he had long since left them. . . . Knox [Jefferson reporting] accordg to custom jumped plump into all his opinions." Encouraged by Washington, Jefferson argued for retention of the allusion, and went on to say that espousal of French liberty would be an antidote to charges in this country that our government "in some of it's parts was tainted with a hankering after monarchy. . . ." In the end Hamilton was successful in taking out this expression and other sweetening with which Jefferson had charged the remonstrance.⁹⁰

Actually, Jefferson's finesse was wasted, for when Genêt's successor, Fauchet, arrived six months later it was to demand Genêt's arrest and return to France for trial by the Jacobins now in power. This country refused to send him back to the guillotine. Genêt had worn out his vociferous welcome, but embosomed himself still in Republicanism by marrying the daughter of Governor Clinton.⁹¹ He became an American citizen. Having been briefly the storm center of public life, he subsided as quickly into forty years of farming.



Investigated and Cleared

THE spate of congressional investigations into conduct of the Treasury, which plagued Hamilton before he was completely vindicated, commenced in censures over St. Clair's defeat by the Indians on the Wabash in 1791. This, on top of Harmar's fiasco the year before, was discreditable to the administration. Enemies in Congress attacked as fiercely as the Miamis. It was particularly unfortunate that the central government was unable to protect the frontiers at just the time when the Western settlers were angry at the excise. They asked with some reason, as they felt, why they should be scalped by both Treasury and Little Turtle.

Giles moved, March 27, 1792, that the President be requested to institute inquiry into the causes of St. Clair's defeat, including "detentions or delays" in furnishing money and stores for the army. In the debate that followed all were agreed that investigation was necessary. Vining of Delaware and Steele of North Carolina thought demonstration of guilt in one or more of the heads of departments should be followed by impeachment. The question was whether inquiry should be by the President or by the House through a select committee. Why Giles, Venable, and others of their mind were for putting the duty on the Executive is not clear, unless they wanted to imply that Washington had failed in his responsibility.

Giles' resolution was rejected by a large majority, not completely

on party lines, and a select committee was approved even more willingly, with the opposition of a few of the stoutest Federalists. On the committee were named FitzSimmons, Giles, Steele, Mercer of Maryland, Vining, Clark of New Jersey, and Sedgwick.¹

The committee first reported May 8, 1792.² Secretary of War Knox and Samuel Hodgdon, quartermaster general of the expedition, in lengthy statements protested against reflections on them, so the matter was recommitted,³ and a revised report was submitted February 15, 1793.⁴ The first report by implication blamed Hamilton for failing to require surety for William Duer when Duer took over from Theodosius Fowler the contract to supply the army.⁵ Several Federalists were for inviting Hamilton and Knox to be heard by the House, but anti-Federalists thought this threatened ministerial domination of the legislature, and a reconsideration by the committee was preferred.⁶ The revised report explained that Hamilton did not receive notice of transfer of the contract until three months later, and then he made advances of funds to Duer only as the agent of Fowler. Hamilton offered the opinion of the attorney general and other eminent lawyers that the securities of Fowler (Walter Livingston and John Cochran) were responsible for any damages due to breach of the contract.⁷

The militia privates received only \$3 pay each during the whole time of their enlistment and service, and then were given only discharge notes calling for amounts between \$10 and \$25, which the soldiers parted with for a few dollars or a gallon of whisky. This was not the fault of the Treasury, which "has always been in readiness to make the requisite advances, upon the request of the Secretary of War."⁸

The severest strictures were on Duer for failure himself or through his agents to supply necessary equipment and food for the army. However, by the time the first report was made to Congress, Duer, in deeper financial troubles, had passed into eclipse, in jail. Knox and Hodgdon, through their remonstrances, succeeded in reducing strictures on themselves, though they were not able to fasten blame on St. Clair as they tried to do. So much was wrong that individual accusation—save against Duer—would have been unfair. The march from Fort Washington started in September instead of July as originally intended, so frosts killed the grass and the horses suffered. Raw militia, recruited in the towns, formed

most of the force, and proved not only undisciplined, but at times ungovernable.⁹ Above all, as was emphasized in debate afterward, an army of any sort formed a target for Indians fighting from cover. Troops could garrison forts, but only rangers could operate in the woods.¹⁰

Happily, Wayne's victory at Fallen Timbers in 1794 removed one item of Western protest, though not in time to prevent the Whisky Rebellion. The swift suppression of that rising was the more resented by critics because expeditions against the Indians had been futile. All in all, costs incurred on the frontiers disarranged and burdened Hamilton's Treasury plans. He wanted to vindicate the excise partly for the revenue, but even more he hoped to quiet the overmountain settlers through the Jay treaty that surrendered the military posts into our hands.

The main thrust of the anti-Federalists at Hamilton was in congressional investigations early in 1793 and a year later. The intention was to drive him from the Treasury. These inquiries and indictments brought into the open the hostility of Jefferson and Madison which, in the attacks of the *National Gazette*, had been covert. There can be no question that Jefferson and Madison were the original movers, though their willing servant, William Branch Giles, of Virginia, was put forward as complainant.

Jefferson noted in his *Anas* under March 2, 1793, "See in the papers of this date, Mr. Giles's resolutions," which had been moved in the House February 28. Jefferson wrote with singular detachment, considering that he had prepared a draft of these accusations against Hamilton. Evidently much later, he entirely dissociated himself from the fatuous Giles by declaring that knowing ones never expected the indictment to succeed. How could it, when two-thirds of the House was comprised of bank directors, stock-jobbers, and their adherents? These myrmidons voted as expected. Three weeks later he recorded a list of thirty-two of these paper men communicated by Beckley, three of whom had avowed as much to Jefferson.¹¹

The anti-Federalist assault upon the Secretary of the Treasury was as ill calculated from a party standpoint as it was unpatriotic. It ended in conspicuous humiliation for the instigators, who were condemned by far more than the normal Federalist majority in the House. Except for the accumulating threat of Western discontent,

which owed as much to economics as to politics, the foes of Hamilton's fiscal policy, while he remained in the Treasury, were now permanently worsted. Had they succeeded, the country must have suffered. A change of measures at that early stage would have been disruptive, even had his enemies more competent men to urge for his place. Those whom Federalists would choose—Wolcott, Bingham, or Gouverneur Morris—would have continued Hamilton's program.

Hamilton's first reports, early in 1793, on Treasury operations, in response to congressional inquiries, were without comment on his part, consisting of figures and a few explanations. The House, December 24, 1792, had commanded him to submit an account of the application of moneys borrowed in Antwerp and Amsterdam during that year.¹² Three days later the House called on the President for all information on loans—sums borrowed, on what terms, how applied, and what balances remained. Further, at what times did interest commence on each loan and when was it stopped by payments?

A few weeks afterward, January 15, 1793, the Senate, Butler of South Carolina and Bradley of Vermont the movers, demanded still more of Hamilton. He was to exhibit the account with the Bank of the United States from the beginning "to the day the return is made." Also, the surplus of revenue appropriated to purchase of the public debt, in detail. Further, the full story of the loans authorized August 4 and 12, 1790. Lastly, the probably unappropriated revenue of 1792, with dates and sums.¹³

The secretary's answers were prompt—that to the House within a week after its second resolve, and that to the Senate in three days.¹⁴ He noted that the first loan, made at Amsterdam Feb. 1, 1790, at 5 per cent interest and $4\frac{1}{2}$ per cent charges, was opened by our Dutch bankers without authority but for weighty reasons which induced the government to accept its terms. Of more importance, he explained to the Senate that loans contracted under the acts of August, 1790, were in virtue of the powers of both laws, and therefore a specification of the loans under each was not practicable. Two reasons were assigned for this proceeding: the bankers in Holland advised it as more agreeable to the lenders, and if the loans were not discriminated, the moneys could be applied more flexibly.¹⁵

The speed with which all these complicated data were collected and presented is apparent in Hamilton's request that the Senate return as soon as possible some records which he was submitting in the originals to avoid the delay of copying. He believed that current appropriations hung on the information he offered.

Giles submitted five resolutions to the House (January 23, 1793) calling for reports of Treasury operations, in some cases from the commencement of the government. The first two were directed to the President, the remainder to the secretary. Explaining his reasons, Giles showed not simply the proper curiosity of the legislator about the finances of the country, but strong suspicions of the secretary's honesty, not to say his competence. His words begged the question, for in effect he condemned before he received from Hamilton the material for which he asked. It was not surprising that an official jealous of his reputation should bristle at Giles' insinuations.

The President was to furnish his directions for making and applying loans under the acts of August 4 and 12, 1790. Hamilton, Giles declared, had failed to give this information. Worse, the secretary suggested that money destined for France could be drawn into the domestic sinking fund. Giles said he could not comprehend Hamilton's report on foreign loans required by the House three weeks before, December 27, 1792. The harder he tried, the more confused he became. Enlightenment was made urgent by the pending bill for reimbursing the \$2,000,000 loan of the bank by diverting funds already borrowed for paying the French debt, and making a new loan abroad. Giles wanted to know from the President by and to whom installments of foreign debts had been paid, with the dates, because he thought we were paying double interest—on the debt and on the new loans which were not promptly applied.

The Virginian was sure that we were paying 5 per cent (and maybe, by this calculation, as much as 17 per cent) on money borrowed from the bank while, all the time, a larger sum than the loan was on deposit with the institution. He offered some exhibits, but wanted Hamilton to furnish the record of half-monthly balances.

How was it that Hamilton was drawing one and two-thirds millions from loans abroad to purchase the public debt when the

sinking fund was overflowing from domestic resources? Giles found this unaccountable.

Lastly, Hamilton must report all unapplied revenues to date and where the money was deposited. This was because it appeared that "\$1,554,851.43 remain unaccounted for." Elsewhere Giles thought he detected a mistake of three and a half million florins in the secretary's accounts. He was profoundly doubtful of the secretary's arrangements, but would retract his imputations if shown his error. The House agreed to his resolves.¹⁶ Giles was rash in his accusation, based, as he admitted, partly on conjecture.¹⁷ He was disingenuous besides, calculating to damage Hamilton by an unsupported scandal. If he had really wanted more light, and felt he could not justify a formal request in the House without citing suspected malfeasance, he could have gone to Hamilton with a single question or two on points of doubt. Further, in all the debate on Hamilton's answers to the demands now preferred, Giles never confessed that his suspicions had been premature,¹⁸ though this must have been as clear to him as to the overwhelming majority in the House.

Hamilton could not conceal his resentment of these unworthy insinuations, which had been paraded in the press. What finance minister, if innocent, would not be outraged at such an attack, when not permitted to appear before the legislature to enter instant denial? It was not to be expected that he would confine himself to exhibits without pointed rejoinder. He would put down the alarm Giles had excited, and reprove the instigator of it. It was galling to have Giles and the anti-Federalist party take a high moral tone, assailing him for gross peculation, when Hamilton had in fact been the national provider, with nothing but obstruction from the same critics. He was later to be scolded for disrespect to the House. Of this he was not guilty. Once inquiry was broached, the House must give it free course. Hamilton lashed back at his tormentors only, and these he meant to humiliate.

So his answer commenced by stigmatizing Giles' "pretty copious display of . . . reasons" which had motivated the investigation. Hamilton claimed for himself some "latitude of observation corresponding with the peculiar circumstances of the case."

He would submit the data in installments as fast as they could be assembled without halting the regular work of the Treasury. He

began with the resolution which touched him most intimately, requiring an accounting, to the end of 1792, of revenues unapplied. But immediately he had to explain that here strict compliance was impossible, because more time would be needed to collect income from many sources, balance expenditures against receipts, digest and state all in the books of the Treasury. The House itself had agreed the year before that nine months, not twenty-three days, were required for this process. However, he would do his best in an approximation to accuracy.

This was sufficient to show that Giles' suggestion that Hamilton had mislaid \$1,554,933 was "one tissue of error." The innocent facts had been available to the author of the mistake, in Treasury reports. Hamilton would note the corrections that must be made. Of the proceeds of foreign bills, \$632,132.02 remained to be received, consequently had never been in the Treasury, could make no part of the supposed deficiency. Second, the Bank of the United States and two of its branches had, from sales of Amsterdam bills, \$605,883.08 yet to be carried to the Treasurer's cash account. Third, the conjectured surplus of the year 1792 must be reduced by the amount of import duties outstanding in bonds. The *laws*, let alone any specific reports, should have told Giles that credits were permitted for many months, in some cases two years. For example, at the end of 1791, duties outstanding amounted to \$1,828,289.28. Thus Hamilton had demonstrated forthwith that large items, allegedly hidden or misapplied, had never come into the Treasury.

He forebore to point to other misapprehensions, except for a major one. It had appeared to Giles, from the Treasurer's bank book, that almost three times the amount of florins was drawn from Holland as Hamilton reported. How came this? The explanation was simple and could have been known in an instant had the disquieted legislator called at the Treasury. The government was to subscribe \$2,000,000 to the stock of the bank, paying from funds borrowed abroad. Then the bank was to lend the government an identical sum, which would replace the amount drawn from Europe. How useless it would have been to bring money across the ocean, with depression of the exchange, risk, and loss of interest, and then send it back again. So formal book transfers were arranged with the bank which accomplished the

same result instanter and at no cost. With the addition of other items of similar sort, the imagined discrepancy was, for that matter, greater than Giles had perceived. Hamilton as readily explained the further "excess."¹⁹

Hamilton had his letter to the Speaker of the House, resenting Giles' imputations, printed, and he distributed copies through friends. Doubtless some of his Virginia critics who thought this direct appeal of the secretary to the public unbecoming had their copies from Edward Carrington who acknowledged receiving a packet of the letters for eager dissemination.²⁰

Political rivalry had led Jefferson, Madison, Giles, and their faction into unreason. With such confidence in their own integrity, they might have ascribed similar honesty to the Secretary of the Treasury. They might have reflected that, had he wished to be venal, he would not have resorted to such stupidities as gave them alarm. Conscious from past experience that they were not skilled in fiscal operations, they should have given Hamilton the benefit of doubts, particularly since they were basing their indictments on partial evidence. They might have guessed that on his own ground he would more than meet them. Probably they were persuaded of this, and we must excuse them from folly by calling them knaves. They thought he could not produce the laborious reports called for before the session ended, and so would be discredited in public opinion beyond redemption.

However, not only did Hamilton respond promptly to House demands for Treasury data that amounted to a financial history of the national government, but he continued to submit material to the Senate, on February 6 and 14.²¹ His last communication to the House in this series was the long one, with appurtenant exhibits, of February 20, 1793.²² However, the request of the House, the day before, that the Commissioners of the Sinking Fund report all their proceedings not previously furnished,²³ fell on the Treasury. The voluminous documents went in February 25, 1793.²⁴

Attentive legislators must have found themselves gratefully informed on our national finances by Hamilton's principal report to the House, February 13, 1793. It took the character of a letter of some twelve thousand words, with supporting exhibits. The subject was the Treasury's policy with respect to the loans obtained under the two acts of August, 1790. These loans were to reim-

burse the foreign debt and to purchase the domestic debt at the market price. Hamilton's object throughout was to show "that the course pursued was regular, and within the discretion of the Department," as well as "the most eligible." In one important aspect after another he demonstrated how Congress must expect the administrator of the finances to use latitude for the ends intended by the laws. Congress could not anticipate circumstances as they unfolded, or suddenly authorize adjustments to altered conditions.

This was illustrated in the combination of the loans which Congress designed to be separate and for separate purposes. Hamilton now explained at length, what he had briefly noted before, that he also originally supposed distinct loans desirable, but was persuaded by his own reflection and by the urging of our bankers in Holland to combine them. This made for convenience in flotation and in application of the proceeds. Joining the loans aided flexibility. Ability to pursue simultaneously the objects of paying the foreign and reducing the domestic debt served the needs of France and of America. He explained how government purchases of the debt bolstered the price directly, and even more indirectly, by encouraging private buyers and holders. Our national credit, partly by these means, was rapidly established. He showed, with pride, how in a single year we reduced the interest at which we borrowed from slightly more than $5\frac{1}{2}$ per cent to slightly less than $4\frac{1}{2}$ per cent, and were enjoying terms equal to those of countries of the most tried resources. This citation of our borrowing rate was Hamilton's triumph, and, if rightly appreciated, was his whole justification.

Generally United States loans enjoyed a preferred position in the money markets of Amsterdam and Antwerp. They were floated at lower rate of interest, lower charges, and sold above the securities of other countries. Hamilton took a just pride in this. However, this favorable verdict was not altogether due to improvement of American prospects. Europe was soon at war, every belligerent further straining its credit, and the result of the contest in doubt. Under such circumstances investment in a distant, resourceful, peaceful land was attractive.²⁵

In rapid succession he met the criticisms brought against him in Congress by showing good reasons for the actions he had taken. His foes had been ill intentioned, but quite as much they had been ignorant. The secretary showed perfect familiarity with every

feature of Treasury operations, not only in principle but as to particulars. The slur of John Adams on a later occasion, declaring that Hamilton idled away his time while depending on associates in the Treasury to do his work, is completely disproved by this paper, if by nothing else. That nearly all in Congress were convinced by his candid and luminous exposition was soon shown by the votes upholding his conduct. What was begun in an effort to discredit him led to reports, focused on critical features of policy, which have had much to do with establishing his reputation. His papers submitted to Congress in the first fifteen months of his incumbency of the Treasury were bold proposals; their wisdom remained to be tested. His responses to his political critics in 1793 reveal his plans in action. They record not the promise merely, but the performance. And here his ingenuity and command had the added merit of success.

The following year, when whisky rebels of the Western country were to be put down, Hamilton was for summoning an ample force. So now, defending himself and the Treasury against foes in Congress, he placed the contest beyond doubt. Probably few examined with pains the voluminous materials he and his associates brought forward, but all must have agreed with his own statement that the data were not assembled and digested without much labor. Not much scrutiny was needed, however, to sense the quality of the reports. Probably Hamilton was never seriously worried for the issue of the attack on his administration. Still, it emanated from Congress; his friends there were bound to support the call for explanations. He could not afford to risk delay or equivocal vindication. Rather, instant and overwhelming refutation must be presented. It is likely that his supporters, as well as his foes, were unprepared for his elaborate defense produced in so short a time. His method always was too much rather than not enough.²⁶

Newspaper attacks on Hamilton's response to the House, February 4, were mostly *ad hominem* or designed to score a party point. True, Hamilton had invited this treatment in his remonstrance against the inquiry.²⁷ "Franklin" objected that the "fiscal faction" had called supporters of the investigation antifederal. The secretary deserved this name for ignoring the constitutional requirement of regular Treasury reports. Since Hamil-

ton had castigated Giles, "What member of Congress will in future move for a 'statement of the receipts and expenditure of public money,' if he is to be dragged into a news-paper controversy, and exposed to the . . . abuse of the paper faction, set on by the master of the pack?"²⁸ The Secretary had been prompt to embrace unaccounted millions (in the assumption) when not required to do so, but was strangely dilatory in explaining the whereabouts of missing millions when this was ordered. Hamilton in his vanity "fancies himself the great pivot upon which the whole machine of government turns, throwing out of view . . . the President, the Legislature, and the Constitution itself." If Hamilton was acquitted, it would be by influence of bank directors, and could not absolve him in the public mind.²⁹

Hamilton's report on loans was finally concluded in the chief opposition newspaper March 9, after filling its front page for days. The secretary's antagonists dropped off, except for those who pleaded the general issue. The parting shot was familiar: the true cause of parties was the funding system, from which "poisonous fountain have flowed all the discontents . . . of our country. It has inflamed and divided the citizens of states formerly united like a band of brothers."³⁰

Hamilton sent his last report to the House, pursuant to Giles' investigation, February 20, 1793, less than a month after the demand was made.³¹ This was by way of good measure, for it dealt with incidental topics with which he had not been taxed directly. He first refuted the insinuation, doubtless that of Giles in offering his resolves, that proceeds of foreign loans had been drawn here to gratify the Bank of the United States where they lay in excess government deposits.³² Actually, the first deposits from foreign loans were in the banks of North America and of New York, which drew the bills. When the Bank of the United States began operations, almost at the end of 1791, funds were not transferred to it; rather, balances in the older banks were reduced by disbursements from them. If anything, the comment might have been that the Treasury was too solicitous for these preexisting institutions. All along, the state banks enjoyed their share of public funds.³³

True, for several months beginning with November, 1791, the banks had surplus deposits. This was not to favor them, but be-

cause public stock at this period rose so fast and so high that purchases for the sinking fund could not be made. In the third quarter of 1791, the 6 per cents had been as low as 17*s.* 10*d.*, and in the first quarter of 1792 rose as high as 25*s.* This "artificial and violent" upsurge could not have been anticipated.³⁴

Under these circumstances Hamilton promptly sought from the House power to use the deposits to reduce the loan from the Bank of the United States. The funds had been borrowed in Europe at about 5 per cent, and, the bank loan being at 6 per cent, the government would have made a substantial saving. The House, now so brisk to inquire whether the Treasury had been lethargic and negligent, had given no answer to the secretary's proposal.

Hamilton went into Treasury practice to show legislators why some half-million dollars should be constantly at command. His critics might have expected such appeal to practicalities beyond their knowledge. Warrants lodged with thirteen loan offices for payment of interest, since precision was impossible, must be too large rather than too small. The Treasury must be prepared to face arrears of existing appropriations without an hour's delay. Unforeseen demands, especially with an Indian war in progress, called for a margin of safety. Moreover, the sums were scattered in banks the length of the Union, though only those near the seat of government could be applied with speed. He added further particulars which would be vexing here as they must have been confounding to those who had thought to embarrass him.³⁵

Hamilton readily declared that the Treasury, consistent with its duty, had sought to accommodate the banks because they were "essential to the pecuniary operations of the Government." They facilitated collection of public revenue by keeping the small stock of money in constant circulation. In this country of few wealthy individuals, banks were the only recourse for sudden emergencies.³⁶ Hamilton had frequently descanted on this theme before, but when he wrote these words in reminder to the House he probably did not guess what a remarkable illustration the Bank of the United States was soon to furnish.

In mid-January, 1793, the bankers of the United States in Amsterdam warned William Short, Treasury agent in Europe, that the American balance in their hands threatened to be deficient.

Hamilton had directed further drafts of 1,250,000 florins Holland currency against them, which with the interest payable March 1 would exceed the cash and expected receipts from remaining bonds of the last loan. Soon the secretary must remit to them for one million guilders' reimbursement and the interest due June 1. The bankers were persuaded Hamilton intended to meet these requirements by a new loan. Such could be had now at $4\frac{1}{2}$ per cent interest, but if delayed until war broke out between Britain and France the loan would be difficult to float at 5 per cent. They sent along to Short a letter from Hamilton which, judging from subsequent developments, proposed that Amsterdam bankers be offered a premium for emergency short-term loans to cover any deficiency arising.³⁷

Ten days later the bankers were more alarmed. Money was tight, they could not borrow for the United States under 5 per cent, and Short had best authorize that at once. The credit of the United States would suffer exceedingly at a single day's delay in payment of interest.³⁸ Three weeks later, and war between England and France was a fact. The United States would owe in Amsterdam one million florins on principal and 470,000 interest June 1. It was impossible to borrow even at 5 per cent. The United States 4s sold that day at only 87.³⁹

A fortnight later the bankers were lamenting to Hamilton that owing to the attack on Holland by France, circulation of money in Amsterdam was "unparalleled scarce." Stocks and bonds were practically unsalable. Any fresh undertakings were "utterly impossible." No loans could be raised here at any rate, even for the United States. The plan of engaging Amsterdam houses to hold themselves ready to make large advances was incompatible with the manner of doing business there at any time, "and is especially inexecutable at the present period." Hamilton must not count on any resources in Holland to face obligations of the United States as they fell due. Sending a copy of this as a monition to Short, "make use of any and every discretionary power you may have," they begged him, "to provide us with Funds" against the day of reckoning June 1.⁴⁰

Six weeks later a loan of two million guilders had been determined on to meet the demands of June 1. The bankers gave Hamilton news of this plan. Short had authorized 5 per cent for

the rate of interest, but the prospect brightened somewhat, and the bankers would try for $4\frac{1}{2}$ per cent. They would explore the chance of inducing financial houses by premiums to make advances for the United States. Successes of the Allies made certain the evacuation of Holland and Brabant.⁴¹ However, time was necessary to negotiate and realize upon a loan, and June 1 promised to find the bankers holding a flattened United States purse. It was then that the Willinks and their associates resolved to support the credit of this country by advancing the interest (470,000 florins). This, as they remarked with justifiable pride, was a drain which few houses could have met in addition to current commitments, especially at such a war juncture as the present. They were moved to it in order to avoid a fresh loan at high interest.⁴²

The bankers reported the gravity of the situation in greater detail to Hamilton. The 1st of June approached all too rapidly. All moneys in their hands would be more than absorbed by the bills ordered drawn on them. A loan of two million guilders was indicated, but the 5 per cent interest was a stumbling block. The bankers had assured the undertakers that the United States would not borrow again at that rate; besides, pay 5 per cent again, and it would be hard to reduce the rate in future. So the Willinks and Van Staphorsts concluded to propose rather a prolongation of the old loan (a deferment of the payment due on principal) for ten years at the same interest (5 per cent). They reserved to the United States the right to discharge the amount sooner; the charges—since the operation was just an extension of an existing loan—were held to $3\frac{1}{2}$ per cent. Nothing better was feasible, as the 5 per cent bonds were selling at par, the 4s at 91. The bankers, as told to Short, would themselves advance the interest so soon to fall due.⁴³

Hardly had these expedients in the emergency been settled on, on April 27, when the brave but beleaguered bankers in Amsterdam were rescued in a letter from Hamilton which reached them on the 29th. Within two days of getting their cry of distress back in January, Hamilton assured them, in calm language, that he regretted the state of things they described. His regret would be increased if circumstances should have rendered it necessary to allow the high rate of 5 per cent for the contemplated loan. Were it in his power, he would decline the loan altogether.

However, he had other resources which he promptly brought to bear. Lest disappointment attend the effort at a loan, he had taken measures to free 495,000 guilders in the bankers' hands. Instead of drawing on them to this amount, he had sold bills for the needed sum to the Bank of the United States. He could do better. "I shall, in addition to this, cause to be remitted to you between this time and the third of next month when the British Packet sails, the further sum of 975,000 Guilders in Bills upon London & Amsterdam; unless I should in the mean time hear of a Loan having been undertaken." Should his funds arrive a little late, the bankers could surely summon means to bridge the short interval.⁴⁴

This was dutiful relief, just in time, of trusted agents who, in an emergency of our national credit, had shown themselves prepared to act handsomely. The bankers gave their appreciation, in few but solemn words, for "Exertions on your part, not only active and praiseworthy in the extreme, but likewise beyond what we could have . . . supposed probable." In addition to all else, the Treasury had remitted them Robert Morris' bill, at sixty days' sight, on Bourdieu, Chollet & Bourdieu of London for £12,096.15 sterling. The bankers were delighted to avoid the hazards of a new loan. The "Intelligence of your Remittances coming forward at such a crisis" had "tended to raise an high Idea here, of the Credit and Resources of your Country, and of the Judicious management of them. This can but operate very favorably, upon the future Loans to be raised here for the United States."⁴⁵

So was met this emergency. Hamilton was praised by distant bankers, who knew whereof they spoke, for his masterly management, just when he was assailed at home for ineptitude and worse. He had much to do to prevent loss of credit in war-stricken Europe, but simultaneously must justify himself to ignorant and malicious legislators. So striking is the contrast between the secretary's competence and the congressmen's captiousness that one seeks in charity for an excuse for their conduct. To his critics in the House, Hamilton was a familiar. They did not know the place among the world's finance ministers which history would assign him. They suspected his political and social tendencies the more because his operations were complicated and, when reduced to the simplest statement, demanded close and long scrutiny for understanding. What pernicious schemes of fastening a money aristocracy upon the

young country could be concealed in these involved accounts? Puzzlement inflated their fears. Call them naïve; innocent, however, his enemies were not.

By the time the events here related transpired, Congress had adjourned, the members had scattered to their homes, and naught was known of the triumph of the Treasury save to the little band of weary helpers of Hamilton who had weathered the storm raised in the House. Yet the satisfaction to him must have been deep and lasting—better testimony to his wisdom and foresight than any vindication in Congress against unfounded charges. In fifteen months from the time the Bank of the United States commenced operations, it had progressed to the point where his hopes of it bore fruit in substantial relief to the government at a critical moment. The Treasury had its own resources for commanding bills on London and Amsterdam. Had this degree of maturity been reached in a decade, it would have been remarkable. In two years it was astonishing, as the Amsterdamers declared.

Jefferson wrote Giles' second set of resolutions, with few and unimportant changes. These motions were intended to express the condemnation by the House of Hamilton's replies to Giles' original indictment. Jefferson prided himself on his respect for the separation of powers, but here, as a member of the executive, he was offering for legislative approval a formal and final censure of a fellow department head. Not only was this surreptitious but later, when the resolutions were defeated, he in effect disclaimed responsibility by mocking the credulity of Giles and others who believed they might succeed. If attacking a Cabinet colleague in the press was injurious to the administration, as the President had complained the year before, assaulting him in the House was more disruptive.

Viewing Hamilton's report of January 3, 1793, Jefferson plucked out what he called the "most prominent suspicion excited" by it. Funds raised in Europe which ought to have paid our debts there to stop interest had been drawn to America and lodged in the bank, "to extend the speculations and increase the profits of that institution." He arranged Hamilton's figures in two accounts to demonstrate his charge; deposits in the bank, he suspicioned, were in excess of any payment there due.⁴⁶

The resolutions for Giles' use must have been penned after this,

for they repeated the main attack. Giles in submitting them to the House made only three alterations. First, instead of accusing Hamilton of favoring American speculators he simply alleged that he had brought funds from Europe "without the instructions of the President. . . ." Second, Giles omitted Jefferson's demand that the office of Treasurer be separated from that of the Secretary of the Treasury. Third, Jefferson ended by pronouncing the secretary guilty of maladministration "and should . . . be removed from his office by the President. . . ." Giles forbore to make this summary reprimand, with recommendation of Hamilton's ouster, and contented himself with providing that a copy of the resolutions be transmitted to the President.⁴⁷

Hamilton in a letter to the Speaker regretted inaccuracies in the printing, by the House, of his recent reports on foreign loans. Means of prevention for the future were referred to a friendly committee, FitzSimmons chairman.⁴⁸

Instantly Giles was on his feet. In his early thirties, he was a thick, florid, untidy man, better in accusation than in answer, an example of the partisan with a penchant for demagogic appeal. Efforts have been made, by those who would excuse the complicity of Jefferson and Madison, to support the abilities and integrity of Giles.⁴⁹ It would have been more to his principals' credit to paint him the blundering tool that he was. The event showed how little he understood the problem, and later in life he was to turn against all with whom he now acted.

Giles made "pointed animadversions" on the secretary's reports which he had solicited. His remarks are not given, but they must have borne out Hamilton's earlier stigmas on the motives for the inquiry. With this preface, the *Virginian* read nine resolutions, which were reread by the clerk. The first two were as general as the following six were particular: 1. Laws making specific appropriations should be strictly observed by the administrator of the finances. 2. Violation of such a law is a violation of the Constitution which forbids unauthorized withdrawals from the Treasury. Then began the special counts in the indictment: 3. The secretary exceeded the law of August 4, 1790 (appropriating moneys to be borrowed), first by using principal to pay interest, and second by drawing a sum to the United States without instruction of the President. 4. The secretary deviated from authority in mak-

ing loans under the acts of August 4 and 12, 1790. 5. He was delinquent in failing to notify Congress of moneys he drew from Europe during two years from December, 1790. 6. This was essentially repetitious. The secretary drew more from Holland than the President was empowered for under the act of August 12, 1790, nor did he inform the Commissioners of the Sinking Fund. 7. Hamilton disregarded the public interest when he borrowed from the Bank of the United States and drew out \$400,000 at 5 per cent, though the public had larger deposits in banks at the time. 8. This resolution was personal; the secretary was guilty of an indecorum in judging the motives of the House, and in withholding information. The last item (9) was to punish in a degree before guilt was proved, for a copy of the resolutions was to be sent to the President.⁵⁰

Giles wanted his resolutions referred to the Committee of the Whole. Opposing this, William L. Smith, of South Carolina, who in Congress had led the fight for funding and assumption, and was to be Hamilton's chief defender now, hammered at the first two resolutions and the last. The opening ones admitted of exceptions, as when an officer in good faith, to avert damage, departed from a law. Nor was a statutory direction to be confounded with a constitutional mandate. More important, reference of the resolves to the President, intended to persuade him "to remove the Secretary from office," reversed judicial process by condemning the accused unheard. Murray reinforced these points. The prejudice of the resolutions was manifest in their submission at the tag end of the session. But three days remained, in which the secretary could not answer charges framed for summary conviction. ". . . a more unhandsome proceeding he had never seen in Congress." Page of Virginia tried in vain to counteract this impression; the general resolutions and that virtually directing dismissal were eliminated, and the committee commenced on the rest.⁵¹

Barnwell, a Southern Federalist, deflated Giles' accusations. They had changed in hue "from the foul stain of speculation to the milder coloring of an illegal exercise of discretion, and a want of politeness in the Secretary. . . ." Hamilton's use of expected discretion was upheld. We owed interest abroad, to be paid from domestic revenues. We had borrowed money abroad to pay

principal on the French debt. But the chance arose to discharge part of this debt by sending provisions from the United States to the distressed French colonists of St. Domingo. Therefore Hamilton, instead of a costly and risky double transfer of funds across the Atlantic, paid principal with interest money here, and interest with principal money there. This expeditious procedure was repeatedly justified in subsequent debate, and the example was applied to illustrate how nothing but legal objects had been served by the secretary.⁵²

Smith refuted the imputations in a closely reasoned speech prepared for him by Hamilton. The secretary did not need specific instructions of the President to draw foreign borrowings into this country, but if such were acted on, they may have been oral directions.

As a matter of fact, the secretary had kept Congress informed of his actions, which if not taken with the President's consent, must be charged to his neglect. He believed the committee would conclude that the secretary's conduct "had been guided by principles honest and patriotic," and was "unblemished."⁵³

Findley of western Pennsylvania replied. He was indeed more than an extreme states' rights man, for he became the apologist of whisky insurrectionists who were put down in part by Pennsylvania troops. His reflections on Hamilton now did nothing to soothe the secretary in his opinion of Findley's constituents who flouted the excise law. Findley charged that Hamilton's ministerial presumption "partakes of the nature of treason." He was better at slurs on the secretary than in scrutiny of the reports. Hamilton, he urged, was disingenuous in giving excuses when he was asked for exposition of what he had done; his "extensive and self-important plans" were unknown to the law as expressed in the will of Congress. Findley blustered to cover his embarrassment. He had not examined Hamilton's responses to the demand of Congress. He complained that they came piecemeal and delayed. The truth was that the interrogation by Congress was deferred until so late in the session that Hamilton's full and prompt response was unexpected; if Findley and his friends did not have time to comprehend the reports, they had fallen into the pit dugged for another.⁵⁴ Hamilton's supporters would not let them defer consideration until the next session. They pointed out that

the secretary had been queried, he had replied with the data as directed, had then been impugned, and Congress must forthwith express its conclusion one way or the other.

Findley's parade of legislative fiat as against ministerial contrivance was not becoming in this case, for Hamilton had been the guide, even the inspiration, of Congress in upholding the public credit.⁵⁵ Actually, Findley had opposed Hamilton's recommendations which the majority of Congress approved. He was not really vindicating the authority of Congress, but was voicing his animus against the secretary and his system of finance. He blamed Hamilton for keeping always half a million or so at his command. This was not stipulated in any law. From the whole tone of Findley's speech one is sure that, had he found an advantage in doing so, he would have attacked Hamilton for not using prudence that was implied in his office.

Giles rose. He was less precipitate than his colleague Findley. He wished to give the impression of speaking more in sorrow than in anger. The inquiry into the conduct of an important officer had to be made, though Giles all but declared that in initiating it he acted as the instrument of others. He hoped that Congress would temper justice with mercy. He trusted the secretary's friends could show he had deviated from positive law for sufficient reasons. In this compassionate mood Giles seemed to forget that he had answered Hamilton's reports with sharp accusations meant to drive him from the cabinet.⁵⁶

Mercer of Maryland turned in a characteristic performance. Hamilton's responses, though evidently not much searched, left Mercer suspicious; indeed, he was sure of corruption in the Treasury. Called to order for irrelevant charges, he resumed by accusing the President of neglect of duty because he did not keep closer tabs on his errant secretary.

Several New Englanders—Livermore of New Hampshire, Hillhouse of Connecticut, Sedgwick of Massachusetts—supported Hamilton and the President throughout, and were joined by the secretary's never failing friend Boudinot.⁵⁷ All these champions were not needed to neutralize the effect of Madison's long speech which followed. He took pains in the beginning to refer to Giles' rôle in the investigation as independent and beneficial to Congress

and the public. As previously, he was not in perfect command of the materials Hamilton had submitted, but he tried to bolster the charge that the secretary had actually diverted funds, contrary to intention of the legislature. His proofs had been amply answered earlier. Madison, having been so deep in the project to discomfit Hamilton, had to appear in the lists, but he was put to it because clearly the secretary's demerit, if any, was peripheral and nominal. The part Madison now played was unworthy of him. Giles might asseverate, Findley suspicion, and Mercer accuse at random, but Madison suffered in their company.

Fisher Ames in effect showed this by cutting from under Madison the little footing that he had. Confident that the day was won, Ames extolled harmony. However, the persistent Findley wanted none. He had at Hamilton, as Madison previously, for robbing the republican French, our faithful allies, to accommodate the Bourbon Bank of the United States, suggested to be alien to our principles. Boudinot wound up the debate. In the particularity of his citations of powers and figures he must have been briefed by Hamilton, who we know had watched the progress of the trial (himself *in absentia*) with absorbed attention. Boudinot offered the strongest presumptive evidence that the President had directed or endorsed the secretary's actions. He thought Hamilton "deserving of the thankful approbation of his country for his . . . strict attention to the true interests and credit of the United States."⁵⁸

The test of the attack on the Secretary of the Treasury came in a night session Friday, March 1; Congress was to adjourn sine die twenty-four hours later. It had been a long day, and all must have been ready for summary action. The Committee of the Whole had disagreed to all the resolutions accusing Hamilton.⁵⁹

The question on each was whether the House as such would confirm the committee's repudiation of the charges. Hamilton's foes were crushingly defeated on one count after another. On the first two resolutions the rejecting vote was three and a half to one. The next resolution called the secretary deficient in failing to notify Congress of his drawings of money from Europe during two years. This was at best a minor matter, but Dayton, evidently sensing rather more approval for this charge, spoke at length

against it. Though his plea was technical, and not impressive, Hamilton was sustained by more than two to one. The next pair of resolutions was condemned by more than four to one.

The last indictment was personal. Hamilton had exceeded his duty in impolite remarks about motives behind the charges, and he had fallen short in not telling the House all he knew of his official transactions. William Smith taunted Hamilton's harassers preliminary to the final vote. They had designed to condemn Hamilton by voice of the House. Now, seeing that they were condemned instead, they talked (Madison and Mercer) of an appeal to the country to judge. This was unsporting of them. Had they succeeded, Hamilton would have been expelled from office with no appeal. His prosecutors must not have it both ways. Smith's shafts went home. Even Findley deserted on this score, leaving only 7 for censure against 34 who approved the secretary's behavior. Only 5 in the House voted for all of Giles' resolutions. He found only 17 supporters in all, and of these, 7 were from his own state of Virginia.⁶⁰

Fauchet, the French minister, of course sympathetic with the rising Republicans, did not miss their strategy. "The Treasurer [looked upon as the source of aristocratic pretensions] is attacked; his operations and plans are denounced to the public opinion; . . . a solemn inquiry into his administration was obtained. . . . it was hoped that, faulty or innocent, the Treasurer would retire. . . ." Instead, he triumphed in the "useless inquiry of his enemies, . . . which proved . . . abortive."⁶¹ George Hammond, the British minister, an outside observer sympathetic with Hamilton, thought the "disgraceful" failure of the attempts to censure Hamilton's conduct "has been justly considered by the friends of that Gentleman as a complete triumph over their opponents." However, the schism in Southern ranks was only temporary.⁶²

Further Probe

THE anti-Federalists were fond of castigating "the fiscal corps" favored by the administration, which in turn gave loyal support to those in control of the government. The persistent accusers might be called the "Virginia junto," consisting of Jefferson, Madison, Giles, Monroe, John Taylor of Caroline, and some lesser figures. Those named were constantly concerting their efforts to bring Hamilton and his policies and Treasury agencies—Bank, funding system, excise—into disrepute. The same charges were in the mouths of all of them, and we have ample evidence in their correspondence that this was no accident. Taylor, at this time in the Senate, was the scribe of the states' rights, agricultural interest much as John Adams or, in less systematic fashion, Fisher Ames was for the advocates of centralized authority and a varied economy.

After Hamilton had been vindicated of the accusations of Jefferson and Giles, Taylor made the best fist he could of his friends' defeat by baldly repeating charges which, brought in detail, had been rejected by the House. His *Examination of Late Proceedings in Congress respecting the Official Conduct of the Secretary of the Treasury* (March 8, 1793) was precisely in the spirit of the attack in the legislature. The public creditors, knowing themselves to be parasitic on other classes, were in a twitch lest they be overthrown. They compacted themselves to bolster the administration which satisfied their claims. They formed "a ministerial corps" hostile to the remainder of the community. Taylor

had no notion of the services of banks as creators of credit; to him they were only instruments for profit of the proprietors. These bank men were shamefully subservient to the Secretary of the Treasury.¹ The Bank of the United States was "capable . . . of polluting every operation of the government. . . ." The secretary had secured the appointment of members of Congress as bank directors, and these, whenever his official conduct was questioned, pronounced him "*immaculate, angelic*, and partaking perhaps of something still more divine."² In turn the secretary directed all his measures to the emolument and advancement of confreres. By neglect of inquiry, affairs of the Treasury in four years had assumed "a complexity and obscurity which rendered them almost impenetrable." Demand for explanation brought no plain statement of accounts, but abuse of his inquisitor and irrelevant essays on national policy.³ This last ignored the elaborate exhibits which Hamilton submitted and to which Taylor himself referred at the end of his diatribe.

Taylor saw no difficulty or importance in the duties of the Secretary of the Treasury beyond "care and application of great sums of public money." He implied that a clerk could discharge these functions, quite forgetting that the funds guarded and disbursed had first to be proposed to Congress by the secretary, not to speak of his original plans for meeting the debt.

Hamilton, in defiance of law and the President's directions, blended the two loans in order to injure gallant France and aid the bank and speculators in America.⁴ Then his friends insisted on rushing the inquiry to a conclusion, not letting it go over, as the patient, thorough Giles wished, to the next session. Result: examination of Hamilton's reports was hasty and the majority exculpating him was fixed. Of the 35 finding him blameless, 21 were stockholders or dealers in the funds, and 3 of the latter were bank directors. Others who joined them could not understand the questions involved, and preferred to give the accused the benefit of the doubt. Wistfully, Taylor conjectured that Hamilton would have been discredited had the vote been on a resolution of approbation rather than one of censure, for then the doubtful would not have taken the positive position.⁵

From information obtained through unspecified sources, Taylor offered a list of members of Congress believed to be holders of

bank stock or public debt.⁶ Surely he had his list from Jefferson who got it, with diligent additions from day to day, from Beckley, Clerk of the House.⁷ Taylor ended with ineligible proposals which also he shared with Jefferson—let no Congressmen “traffic in the public funds”; further, disestablish the Bank, and reform the Treasury in all its parts.

Though the papers were chock-a-block with debates, reports, and letters to editors on Hamilton’s alleged malfeasance in the Treasury, public confidence in the national stocks was not affected. One of Hamilton’s critics who drew on his imagination instead of market quotations said differently: “Even the emissaries of speculation, who haunt the coffee houses . . . begin to soften their note” and respond to truths they can no longer resist. This was March 16; that day the 6 per cents were 18/4, four days later they were 19/3, April 3 were back to 18/6.⁸

The secretary’s attackers had been the freest possible in their charges, announcing him to Congress as thief of the public money on a grand scale. Jefferson’s original resolution demanded his discharge; though this wording was subsequently softened, the implication remained the same. However, when Hamilton had exerted himself mightily to furnish comprehensive exhibits in shortest order, and, viewing these, the House had overthrown all accusations, his enemies proved to be poor sports. They had chosen their forum and should have accepted the verdict. Instead, as Jefferson promised beforehand and Taylor and others proved later, they wanted to have it both ways. In defeat they repeated for a space their standard excuse that the majority had a personal financial interest in upholding Hamilton.⁹

In the spring of 1793 Hamilton had been cleanly exonerated of the charges of Giles (Jefferson) of misapplication of public funds. In the short time permitted by his accusers he, by extraordinary exertion, had submitted full exhibits in refutation. But the same inquisitors had been disingenuous enough to complain, afterward, that the investigation had been too swift for completeness. Unwilling to leave his vindication in any sense equivocal, no matter how false the imputation, Hamilton in December, soon after Congress reassembled, requested “a new inquiry . . . without delay. . . .” The mode should be “the more effectual for an accurate and thorough investigation,” and the more comprehensive, the

more agreeable it would be to him. However, he warned against trying again to compress it, as that would put an injurious burden on him and the Treasury.¹⁰ Hamilton's application was immediately laid before the House.¹¹

Promptly, Giles reverted to his resolutions appointing a committee "to examine the state of the Treasury Department, and . . . report to the House, generally, thereon. . . ." He specified under five heads information ranging from bookkeeping to sinking-fund management. Emphasis was on the chief topic of inquiry in the previous session—disposition of the Dutch loans of August, 1790, and the authority for these proceedings. Old suspicions were repeated, as though they had not been formally investigated and dismissed by the House; when moneys had been brought from Europe, how long before they entered the Treasury, and where had they been deposited meanwhile? Was the debt to France prejudiced by these maneuvers? Hamilton's answers to former questions were searched anew to found on them fresh doubts.¹²

Giles was determined not to fall again under accusations that he delayed attack on Hamilton until so late that the secretary could not respond on all points before the close of the session. Giles now explained that he had introduced his resolutions early and had hoped for a speedy decision on them. He did not press because promptly Fraunces' petition (see below) impugned the conduct of the secretary, and a general scrutiny of the Treasury, at the same moment, "might have been deemed a violation of delicacy and propriety." Then when Hamilton was cleared of Fraunces' charges, Giles renewed his proposition. But the House, occupied with delicate foreign relations (defense against the Algerines, and preliminaries of the treaty with Britain), refused to be interrupted. A domestic investigation would induce discord when unity was wanted.¹³

Giles supported his motion against what was evidently the intention of many Federalists to reject it out of hand, in spite of Hamilton's own request, since all had been gone into and confirmed the year before. Such a dismissal of Giles could not have satisfied Hamilton's object. Wryly, he must have approved as Giles declared that the legislature must not forfeit its constitutional powers to the executive, especially the House must not, in its

special bailiwick of the revenue, merely "legalize . . . proceedings" of the Treasury. Congress should limit the discretion of the secretary. Page of Virginia seconded with the sufficient observation that Hamilton himself had asked for the investigation; the House was perfectly at liberty to reopen a matter previously decided. After some alteration of the instructions, it was ordered that a committee of fifteen, who were named, return the information required.¹⁴ Abraham Baldwin, of Georgia, certainly a conspicuous Republican, was chairman. Giles was of course a member, and besides these were Dent (Maryland), Greenup (Kentucky), McDowell (North Carolina), Niles (Vermont), Van Cortlandt (New York, who had read law under Hamilton), Paine Wingate (New Hampshire), Wm. Irvine (Pennsylvania), Beatty (New Jersey), Coffin (Massachusetts), Latimer (Delaware), Hunter (South Carolina), Malbone (Rhode Island), and Swift (Connecticut). Next day the committee was given power to send for persons and papers.¹⁵ Hamilton said of the composition of the committee that a majority were "either my decided political enemies or inclined against me, some of them the most active and intelligent of my opponents, without a single man, who, being known to be friendly to me, possessed . . . such knowledge . . . of public affairs as would enable him to counteract injurious intrigues."¹⁶

Before the House investigated the Treasury, the Senate heard a motion, January 8, 1794, requiring of the secretary elaborate reports of domestic and foreign debt, paid and outstanding, and of receipts under each branch of the revenue.¹⁷ The names of mover and seconder were not recorded, but from the particularity of the specifications and similarity to the suspicious tone of previous resolves it is likely that Albert Gallatin, of Pennsylvania, was the proposer and John Taylor, of Virginia, was his supporter. If Gallatin figured, it was improper because, though he made another motion a few days later,¹⁸ his qualification to serve in the Senate was even then under investigation, and six weeks later his election was declared void.¹⁹ These attacks on him brought Hamilton a solicitous letter from General Schuyler, who feared for his health under "incessant application." Schuyler had been "much averse" to Hamilton's determination to resign, but was reconciled to it by the malice of his enemies.²⁰

The committee made full use of its power to require information from the Treasury. The members examined original records; Hamilton and his associates furnished lengthy, detailed reports, and these were supplemented by oral explanations. Hamilton was directed to display his particular authority for applying the proceeds of the two loans of August, 1790, though this involved securing a further letter on the subject from the President. In fact the report submitted to the House May 22, 1794, was mostly exhibits in response to queries, and one has to search for the conclusions of the committee itself.²¹ The whole was such a review as should have left no (attentive and patient!) reader in doubt concerning what had been Treasury operations from the beginning of the national government.²²

Since Giles and other movers for the investigation had suggested more than once that Congress was in danger of ratifying Treasury actions taken without obedience to law or approved rules, the report laid bare all accounting procedures. Of special importance, it was shown that "The Secretary of the Treasury, or any other officer of the Department, besides the Treasurer, never has the possession or custody of any part of the public moneys. . . . All warrants for the payment of money into the treasury, or for the payment of money out of the treasury, are first signed by him" but "subject . . . to the check of the Comptroller . . . and to the further check . . . by the Auditor. . . ."²³ The yield of import and excise duties, relations of Treasury and bank, and history of the sinking fund were elaborately explored. Particular emphasis was given to the proceeds and disposition of foreign loans, especially those of August, 1790, which had figured conspicuously in the probe of the previous year.

Hamilton inquired of the investigating committee whether they expected him to produce authority from the President to draw proceeds of the loans of August, 1790, into this country. He claimed no protection from any instruction of the President to do what was irregular. Faithful execution of the laws was the secretary's responsibility. The only question for Congress, therefore, was not sufficiency of authority, but whether the secretary had acted legally.²⁴ The committee did not accede to this view, and required of Hamilton "by what authority any portion of the moneys borrowed abroad have been drawn to the United States." He an-

swered forthwith that all public moneys could be taken into the Treasury and issued for legal purposes, without special authority. Still, since the power to borrow had been vested in the President in the first instance, the secretary had always obtained his sanction for disposition of proceeds of the loans. The President's approval was usually verbal, but by letter when he was absent from the capital. His consent was always qualified with the condition that all was " . . . agreeable to the laws."

The committee persisted, resolving that Hamilton's statements should be submitted to the President to obtain from him such declaration as he thought proper to make.²⁵ Washington referred Hamilton's papers to the attorney general. Randolph advised that only a verbal answer be returned (which, whatever its character, could not have served the purpose of the committee), disavowing any sanction of the lawfulness of what Hamilton had done.²⁶ The President replied to Hamilton in writing, and differently from what Randolph had recommended. He virtually followed the pattern which Hamilton had offered to the committee. "I cannot charge my memory," he said, "with all the particulars which have passed between us, relative to the disposition of the money borrowed." The letters cited spoke for themselves. As to verbal communications, many were made to him by the secretary, and he did not doubt they were of the sort Hamilton stated. Washington concluded, "I have approved of the measures which you, from time to time, proposed to me for disposing of the loans, upon the condition, that what was to be done by you, should be agreeable to the laws."²⁷

Even so, perhaps the President had forgotten what he had written, let alone said. Years later (1811), at Madison's solicitation, Randolph recounted that Washington at first denied, with passion, having written one of the letters most explicitly endorsing Hamilton's treatment of the Dutch loans. However, when this and other permissions from him were produced by Hamilton, he acknowledged them. Madison tended to discredit Randolph's recollection, as he had suffered a paralytic stroke "greatly enfeebling his mind." Further, Madison suggested that Hamilton had avoided exhibiting the President's letters, recognizing that Washington had written or maybe only signed them without close scrutiny. However, these apologies do not excuse Madison who, seven years after Hamilton's death, was collecting evidence to incriminate him.²⁸

Hamilton should have accepted the President's response as satisfactory, for Washington used virtually Hamilton's own words. But the secretary, suffering what he considered persecution by his inquisitors, next day addressed to the President a remonstrance and wish that he would revise his certificate to manifest at least "an *opinion* that the representation of the Secretary . . . is well founded." The President's reserve would be interpreted by Hamilton's enemies to prove doubt, "else his justice would have led him to rescue the officer concerned even from suspicion on the point." Hamilton was bold to say that insidious men had infused in the President "distrusts very injurious to me. . . . If . . . the affair does not stand *well* in your mind, I request the opportunity of a full . . . conference . . . to . . . go over all circumstances . . . in the hope of recalling to your memory what may have escaped it. . . ." He would abide the result in a declaration that should be unambiguous; either the President believed his secretary had acted rightly or wrongly. Particulars might be forgotten, but "the general course of proceeding in so important an affair could not but be remembered. . . ." Their mutual confidence warranted Hamilton's expectation that the President would uphold him without requiring immediate authority in every instance of discharge of his duty.²⁹ Hamilton felt his veracity questioned and, as always, bridled. His quarrel, however, was with the committee of Congress, not with the President, who had behaved becomingly.

The President made no reply to Hamilton's protest; none was needed and Hamilton had no cause to vex himself. For the committee was not impressed by the supposed mandate of Congress to handle the two loans as distinct in all respects. Hamilton's critics had raised a tempest in a teapot. The committee could not have gone further in approving Hamilton's actions in the Treasury. They used his own wording for the concluding judgment. He had not improved official influence with the banks to secure favors for himself or anyone else. Finally, "the committee are satisfied that no moneys of the United States, whether before or after they have passed to the credit of the Treasurer, have ever been, directly or indirectly, used for, or applied to any purposes, but those of the Government, *except*, so far as all moneys deposited in a bank are concerned in the general operations thereof."³⁰ "The report," Hamilton recorded later, "I have always understood was unani-

mous.”³¹ His vindication, after three concerted attacks on his conduct of the Treasury, was complete. “My enemies, finding no handle for their malice, abandoned the pursuit.”³² They could not but acquiesce in this repetition of legislative exculpation after extensive inquiry. Our surprise at this distance in time is that his foes had been so reckless and persistent in their charges.³³

It may be that Hamilton’s political foes, determined to harass him further in spite of his exculpation in the recent investigation, prodded Andrew G. Fraunces, a dismissed Treasury clerk, to air fresh charges against Hamilton. The secretary, he proclaimed, refused to pay him public money legally his, was doubtless diverting it to private uses. Hamilton was sent threatening letters, a lawyer was dispatched to New York to collect evidence against him to be plied in Congress.

John Beckley had been privy to the secret inquiry of Monroe, Venable, and Muhlenberg in December, 1792, into Hamilton’s integrity in the Treasury, of which we shall hear later. He plotted fresh mischief for the secretary. This time his informant was one Clingman, who told him in person and then in a letter, that A. G. Fraunces was in treaty with Hamilton to surrender papers betraying Hamilton’s speculations in connection with Duer. For this incriminating evidence Hamilton was to pay Fraunces \$2,000. The pay claim of Baron Glaubeck was one item in alleged surreptitious private dealings of the secretary. Beckley suggested that Fraunces, said to be fond of drink, and avaricious, could be induced by “a judicious appeal to either of these passions,” to disclose full proofs of Hamilton’s iniquity. Beckley thought Clingman could be trusted to “counterwork Hamilton . . . to possess himself of . . . further, and corroborating evidence to that of Fraunces’s.” Beckley remained in Philadelphia several days hoping for this result, but when Clingman failed to report to him he left on his vacation. He hoped that in his absence his correspondent would further ply Fraunces and Clingman “so . . . as to obtain . . . decisive proof . . .”³⁴ William Wilcocks, in New York, was soon warning Hamilton, “Your enemies are at work upon one Francis, who has been a clerk in the Treasury department. They give out that he is to make affidavits, criminating you in the highest degree, as to some money matters.”³⁵

When Fraunces’ attack came to his notice, Hamilton began col-

lecting evidence from several sources to defend himself. He asked William Wilcocks to make inquiries in New York of Fraunces, Duer, and Flint.³⁶ He applied to Catherine (Mrs. Nathanael) Greene for a statement in legal form of how a certificate for pension money granted to Baron Glaubeck had been purchased for her benefit. Jeremiah Wadsworth had informed Hamilton that Glaubeck was indebted to Greene; Wadsworth (an executor of Greene's estate), meant to buy the certificate for a small sum to meet Glaubeck's immediate necessities and devote the remainder to Mrs. Greene's uses. The purchase was made through Flint or Duer, though the certificate was secured from someone to whom Glaubeck had sold for a song. Fraunces, resentful at discharge from his Treasury clerkship, and probably paid to make trouble for the secretary, wished it believed that it was a speculation of Hamilton, and exhibited in proof a draft of a power of attorney with some corrections in Hamilton's hand. Hamilton thought probably he had amended the power, supposing it was for Mrs. Greene's benefit.³⁷ The same day he wrote similarly to Wadsworth.³⁸

First response was from Wilcocks in New York. On his way to the jail to see Duer (September 5, 1793) he met with Fraunces and "asked him to let me see the pamphlet he had written against Col. Hamilton. This he refused to do, but read to me a Correspondence between the President, you and himself. . . . The burden of his story is . . . he has certain warrants for money ag^t the United States. That you have at times flattered him with the payment thereof [,] and as often disappointed his expectations." Neither Hamilton nor the President would assign any reason for refusal of payment; Wilcocks himself if so treated would "most certainly make a damn'd noise about it."

Fraunces admitted that Hamilton's intervention in the claim of Glaubeck (*sic*) "was solely for the benefit of M^{rs} Greene," but inferred that as in his own case, Hamilton was working for some third person.

The tale was circulating "that M^r Francis [*sic*] can substantiate some official criminallity against you, of a very sinister nature. And yet no one pretends to any *precision*. Thus . . . The throat of your political reputation is to be cut, in *Whispers*. M^r Frauncis must be made to come out." Duer thought Hamilton's position

correct and would be glad to verify particulars so far as his memory served. The report on Flint is uncertain, as the letter is torn.³⁹

A friend in New York notified Hamilton that Fraunces had bought Glaubeck's certificate from one Basen (*sic*), and that both Fraunces and a lawyer sent by Hamilton's enemies were priming the illiterate Basen to testify that he understood Fraunces bought his certificate ostensibly for Mrs. Greene's benefit but actually for Hamilton's.⁴⁰ Wadsworth answered that Glaubeck had imposed on General Greene, deserved no certificate from Congress, and had avoided him (Wadsworth) when urged to make restitution to Mrs. Greene. Hamilton had drawn a power of attorney for Wadsworth, who had committed the matter to Flint. Mrs. Greene got the certificate.⁴¹

Catherine Greene did not receive Hamilton's inquiry on her Mulberry Grove plantation on the Savannah River until more than seven months had elapsed. Alarmed that Hamilton, hearing nothing, must think her ungrateful, she sprang into her boat and in Savannah fetched Judge Nathaniel Pendleton off the bench to help her. He laughed at her perturbation, explaining that Hamilton had been handsomely cleared of Fraunces' accusations. Nevertheless she sent her deposition to show her appreciation.⁴² Hamilton published a letter declaring that Fraunces refused to support his irresponsible insinuations, and calling him contemptible and "a despicable calumniator."⁴³

Fraunces was driven to satisfy this demand. A dull pamphlet perhaps neither written nor paid for by him pretended to recount Hamilton's disingenuous postponements and promises when he, Fraunces, presented \$5,500 in warrants on the Treasurer and on certain loan officers. A reader led into these insinuations, even if he did not know Fraunces was a liar, must have been suspicious from his undue meekness. To Fraunces' inquiry whether the Treasury would honor the warrants from the appropriation for that purpose, Hamilton answered (May 18, 1793) that he needed more light on this particular demand. The next month Fraunces went to Philadelphia, saw Hamilton in his office, and agreed to a statement of the case which Hamilton drew; in this it now appeared that Fraunces was himself the owner of the warrants. When he called later, Hamilton answered that nothing could be done for him

now; "however, said he, in a *low voice*, 'If you will pledge . . . your honor not to purchase any more of them, I will secure to you the amount you hold.' " Hamilton begged him to return to New York, promising, if Fraunces remained silent, to see that he was paid not only for the warrants, but for his expenses and loss of time. He would advance Fraunces something from his own pocket.

Finally, tired of beguilement, Fraunces complained to President Washington, begging him to order immediate payment. He went on to make a broad charge against Duer, in whom other Treasury officers had foolishly reposed confidence, for bare-faced dishonesty.⁴⁴

December 18, the Speaker informed the House that a letter "signed Andrew G. Fraunces, enclosing a petition and sundry documents relating to the Treasury and the officer at the head of that department had been put into his hands." FitzSimmons warned that he had read this petition and attached papers cursorily, and was sure they should lie on the table for other members' inspection. Evidently he doubted their authenticity or perhaps their motive. His advice was followed.⁴⁵ However, one day seemed to Fraunces' friends sufficient, for on the 19th Heath called up the complaint. Objections were offered, but all was read and referred to a committee of Samuel Smith, of Maryland, Giles, Findley, Dayton, and Coffin (Democrats in the majority). This was Thursday, and Giles gave notice he would call up his resolutions, directing an examination, the following Monday.⁴⁶ No more was heard from him for two months. In mid-January, Fraunces prodded the House on his petition. Would his demand against the Treasury be paid from money appropriated for such purpose? After some delay the committee's report was ordered out. Suspicions clung to Fraunces' request; some objected to discussing it with open galleries, "as a confidential communication had been made to the committee," and the galleries were cleared.⁴⁷ These secrets remained unrevealed. Probably none asked for privacy on account of Fraunces. If Hamilton's reputation was to be protected, the House some weeks later did it completely. It was determined that the secretary's "reasons . . . for refusing payment of the warrants referred to in the memorial, are fully sufficient to justify his conduct; and that, in the whole course of the transaction, the Secretary and other officers of the Treasury have acted a meritorious part towards the public." The charge against Hamilton concerning purchase of the

pension of Baron de Glaubeck was pronounced "wholly illiberal and groundless."⁴⁸

Hamilton was attacked from several quarters at once. He felt himself the victim of a concerted determination to expel him from the Treasury. This was rousing enough, but, more ominous, he plausibly believed these were first guns in a war on the whole national administration. The accusations of Giles in Congress he must answer officially in laborious exhibits. The brash insinuation of Monroe, Venable, and Muhlenberg he must destroy in private explanation. Reply to another censure—that of John F. Mercer—fell between, beginning as personal but leading on to public defiance.

The *Maryland Gazette* (September 20, 1792) published objections of David Ross to reelection of Mercer to the House from his southern Maryland district. One was that Mercer had impeached the integrity of the Secretary of the Treasury, saying in effect that "he was both buyer and seller of stock," and he had purchased for the sinking fund "in such a manner as to favour a particular set of men," giving them prices above those at which others offered to sell.

Promptly, in letters to Ross and Mercer, Hamilton branded the latter's charge "a gross and wicked slander." Except on account of the sinking fund he had "never . . . been concerned directly or indirectly in the buying or selling of stock or certificates since I have been in my present office." He had never sold a certificate in his life, and bought certificates only once, to pay for land, before the Constitution was adopted. In directing purchases authorized by commissioners of the sinking fund he employed agents of high repute (Lincoln, Seton, Heth) who were necessarily entrusted with details. Mercer's aspersions were reportedly uttered in election speeches at Prince George's courthouse and at Annapolis. Hamilton demanded every particular.⁴⁹ When these letters were delivered to Mercer at Upper Marlborough October 2, several certified that he elaborated with a more pointed accusation. When accounting officers of the Treasury rejected a claim of Mercer against the government, he appealed to Hamilton, who promised he would see that Mercer was reimbursed if he would vote for the assumption.⁵⁰ As Hamilton was quickly at pains to point out circumstantially, this offer of a "bribe" was an innocent pleasantry

which only malice could misrepresent. Mercer's claim was for two or three hundred dollars for horses shot under him in the war. Leaving the Treasury offices disappointed, he met Hamilton, just going to dinner, with others in the street. Mercer hotly protested that his claim would be allowed if proffered by anyone but himself. From events of the session, which proclaimed Mercer's hostility, Hamilton could refer this remark only to himself. Embarrassed, he chose to treat the insinuation jokingly. If Mercer would change his vote, or vote for assumption next day, said Hamilton, "we'll contrive to get your claim settled." All laughed, including Mercer.⁵¹

But such jocularities, though patently an effort to relieve an awkward encounter, was dangerous when directed to a politician of Mercer's animus, who repeated it loosely when he had dined. His local opponents, coming to Hamilton's support, cited further items in Mercer's indictment of the secretary. The secretary had favored Duer, though Duer as his assistant was obstructing conversion of certificates at the Treasury in order that his private agents, in a broker's office next door, might buy them up at distress prices. Also, to overcome the negative of some commissioners, Hamilton had persuaded Jay to a collusion to approve an appropriation of \$200,000 for the sinking fund. Maybe giving more than market price for stocks was to serve the profit of his father-in-law, General Schuyler, but Mercer was induced to suspect that Hamilton "had a . . . more immediate Interest in the Business."⁵²

All the foregoing was report, though solemnly avowed. Taxed by Hamilton to declare exactly what he had alleged, Mercer denied that he had impugned Hamilton's public or private integrity. Hamilton had been too quick to believe as coming from him what was circulated in a handbill by a strong partisan, Ross. Mercer's wording was studied: "I stated that in my judgment you had unjustifiably sacrificed the other Interests of the United States to a particular and by no means . . . meritorious class and . . . to a few unworthy Individuals, who from their immediate situation on the spot, their connections and information (however acquired) of the intended purchases of Stock on public Account, could make certain profit of the measures of Government by your *giving* or *directing* to be given on Account of the United States 20/. for 6 p^r Cents when the current price averaged from 17/6 to 18/6 and 12/.

for 3 p^r Cents when others bought @ 10/. and 10/6. . . ." He subjoined certificates from gentlemen present on the occasion referred to by Ross to prove that he never impeached Hamilton's conduct "farther than that [you acted] in the pursuit of public objects . . . without any other private view than that of encreasing your own influence and attaching to your administration a monied Interest as an Engine of Government."⁵³

Ross and others disputed Mercer's disclaimer. Their rejoinders, specific as to times and places, evidently convinced Hamilton that Mercer had assailed his integrity.⁵⁴ They belabored Mercer over Hamilton's shoulder, but from the disgraceful nature of the charges he made himself very much a party to the quarrel. The President had been moved to make his own inquiries.⁵⁵ Hamilton was properly tender of his official and private honor. Frontally assailed in Congress, he would not spare a flank attacker. Mercer, again excusing himself, was glad to retreat: "I shall let it rest with you to decide whether any or what further steps the . . . controversy may require."⁵⁶ This was one of several good stopping places in the tiresome exchanges, but Hamilton and his friends reiterated resentment, Mercer bristled, refused further explanation, and would tarry eight days at Annapolis to know whether Hamilton offered more "gross expressions."⁵⁷ Hamilton took this as a challenge. "The issue, which I now conceive to be invited by you will not be declined. . . ." Mercer must make a general denial of his unfounded suggestions. As soon as Hamilton unlocked more important antagonists, "you will receive from me a further and more explicit communication."⁵⁸ However, further the record saith not.

Hamilton was in the midst of refuting the charge of speculation in the affair of Glaubeck when he was stricken with yellow fever. Our first knowledge of his illness is in a note of Washington, September 6, 1793, expressing his "extreme concern" that Hamilton thinks himself "in the first stages of the prevailing fever." The President went on to hope the symptoms mistaken and that the Hamiltons could dine with him at three o'clock.⁵⁹ Mrs. Hamilton contracted the disease three days afterward, and her recovery coincided with his.⁶⁰

Two disputes were as prevalent as the plague. The less impor-

tant was whence it came, from the stench of rotting coffee dumped on a wharf in mid-July heat, or from refugees from San Domingo who arrived about the same time.⁶¹ Mifflin, a politician, not a physician, contended the infection was imported. Early he told the Assembly (September 5) he was informed a fever raged in Barbados and other West India islands. A vessel lay at Mud Island with Irish passengers afflicted with a malignant disorder. When the plague had passed, Mifflin reported to the legislature that the "complicated scene of terror, wretchedness and mortality" which caused "total derangement of public and private business," was "not immediately engendered by any noxious quality of our soil, or climate, but was brought hither from a foreign port. . . ."⁶² Of more consequence was directly conflicting medical advice for treatment, whether the infection should be expelled by purging and bleeding (the method chiefly followed) or whether the patient's resistance should be nourished (the mode followed with the Hamiltons). The epidemic spread progressively from the waterfront, and had the city in its grip from mid-August till late November. More than four thousand were buried in this period, most of them victims of the yellow fever.⁶³

Hamilton made a speedy recovery. Only five days after being stricken with "the reigning putrid fever," he was completely out of danger and publicly gave thanks in an open letter to the College of Physicians⁶⁴ for the skill and care of his friend Dr. Edward Stevens. He wanted to allay the "undue panic . . . fast depopulating the city" by explaining that Dr. Stevens' method, varying essentially from that generally practiced, reduced the disease to little more than ordinary hazard. He and Mrs. Hamilton, who contracted the fever from him, were witnesses to the benefit of Dr. Stevens' system. Were it generally adopted, many lives would be saved. Hamilton urged that the medical faculty confer with Dr. Stevens before he left for New York.

Soon Dr. Stevens on invitation of Dr. John Redman, president of the College of Physicians, published a long letter explaining his mode of treatment. As the disease was debilitating, remedies should be "cordial, stimulating, and tonic." From his directions we know how the Hamiltons were cured. In its gradual onset the disease should be combated by rest, a full diet with old Madeira wine; cold baths, followed by brandy burnt with cinnamon; at

night a gentle opiate combined with a few grains of the volatile salts and some grateful aromatic. Each day a few doses of bark (cinchona, quinine); vomiting was relieved by an infusion of camomile flowers, and small doses of a cordial mixture of oil of peppermint and compound spirits of lavender. If the stomach continued irritated, flannel cloths wrung out of spirits of wine impregnated with spices were applied. The patient's mind must be kept serene, free from all apprehension. Violent evacuations, which must further weaken the patient, were avoided.⁶⁵

This last was a warning against the purge-and-bleed system of Dr. Benjamin Rush, which that leading physician practiced and propagated.⁶⁶ At the outbreak of the disorder nearly all of his patients died. Dr. Rush applied to Dr. Stevens to know the West Indian practice, and followed it with scarcely better results. He then dug up a manuscript of Dr. John Mitchell, given to Rush by Franklin, describing an epidemic in Virginia in 1741. Rush acted on Mitchell's conviction that as the seat of the infection was in the "abdominal viscera . . . , their seculent corruptible contents [must be] discharged" by heroic purges (30 grains of calomel, 45 of jalap in three doses) even when the pulse could hardly be felt. After four or five evacuations, draw 8 or 10 ounces of blood from the arm. When pain and fever subsided, purge still more, keep the patient on a low diet, and be intrepid with the lancet. Dr. Rush was quick to rebut the published advice of Hamilton, Dr. Stevens, and another physician (Dr. Kuhn), which must prove fatal. Rush and others implied that if the tonic (as against the draining) system cured, it was because the patient had the ordinary autumn remittent fever, not the malignant yellow fever.⁶⁷

Immediately Hamilton gave signs of the malady, the children (five in number, the youngest only a year old),⁶⁸ were cared for in an adjacent house, and saw their mother at a window only. Within a few days, all of them still well, they were sent to the Schuylers at Albany.⁶⁹ This was typical of the many services of their ever ready grandparents.

As soon as they recovered, Hamilton and Eliza posted after their brood to the Schuyler home. They found the officials and people of Albany were alarmed at the prospect of recent fever victims coming to the place. At news of the Hamiltons' approach, September 21st, the mayor and council passed resolves, in accordance

with which General Schuyler was bound to strict precautions. He promised that "they should not advance beyond McKowns" [an inn at Greenbush, east side of Hudson, with ferry to Albany], where they should be visited by "the Physicians" (apparently the whole faculty of Albany) at Schuyler's expense. If pronounced free of contagion, their clothing should be destroyed, fresh provided, and they should come on, with no baggage or servants, in an open chair. Then, having received these guests, the Schuyler mansion should be guarded, again at Schuyler's cost, to enforce the quarantine enjoined. These were the engagements as the city fathers understood them.

But four days later, when the convalescents had arrived, the mayor, "in Common Council," wrote Schuyler of fresh public concern lest the stipulations were not being complied with. "Fears of the Citizens are up beyond conception, from the Idea that the Carriages & baggage . . . and servants may contain infection, & possibly Spread the disorder—and that the same now are either in or near the City." The mayor and council therefore required "an Answer in Writing, how far the above Engagements have been, or are yet intended to be fulfilled."⁷⁰

Schuyler instantly replied that Hamilton the day before had sent to stop his servants "at M^r McGouens" [same as McKowns], where they would remain until further orders. His carriage and a box of linen were brought on, but, in deference to request of the Council, would not cross the ferry. Hamilton remained polite, though plainly annoyed. He requested Schuyler "to assure [the mayor] that whilst . . . regard to the citizens and corporation will lead him to accede [*sic*] to every thing that is reasonable, he claims the rights of citizenship and that these cannot be violated, and that he does not consider his stay here as a matter of grace or favor." Schuyler added his own doubt that the household must be quarantined after "an Inspection by all the Physicians, and the most ample certificate that no Danger was to be apprehended from Colo. and M^{rs} Hamilton." But all would refrain for the present from contact with the town.⁷¹

In Hamilton's illness Wolcott, as comptroller, took over the secretary's indispensable duties, such as making drafts on the Bank of the United States for public payments,⁷² and, "in the present

deranged state of affairs," suspending others.⁷³ All who could do so, officers and clerks alike, fled the Treasury office in Philadelphia, which was "low[,] surrounded with infectious air, sickness and Death."⁷⁴ Wolcott himself left in early October for "Falls of Schuylkill," and relied on Joshua Dawson and one or two others who remained at their desks to communicate with him.⁷⁵ Day after day their news was of wretched scenes in the city and of members of the Treasury staff struck down by the pestilence.⁷⁶

Hamilton lost no time in returning to duty. In mid-October, two weeks before Wolcott, still absent on Schuylkill, ordered the Treasury offices thoroughly cleaned and fumigated with brimstone,⁷⁷ the secretary left Albany. He paused at New York long enough to collect four clerks with whom he proposed to open a temporary office at Trenton or nearer Philadelphia.⁷⁸ However, he came right on to the house of Robert Morris, "The Hills," on Schuylkill,⁷⁹ reached October 23, whence he had a messenger service to the office and to Wolcott's residence.⁸⁰ He and Mrs. Hamilton remained there for some weeks. November 5 the mayor warned against returning, "as the distemper is still lurking in several parts of the City."⁸¹

Hamilton at once set about answering President Washington's inquiries as to when and where government offices could resume operation, and where Congress should meet.⁸² His recommendation was that the members of Congress be called to assemble at Germantown, there to decide whether they should go into session at that place or perhaps at Wilmington.⁸³ In response to Hamilton's question, a member of the citizens' committee appointed to cope with the epidemic answered November 2nd that "the calamity has nearly subsided, and . . . a few days will put a final period to the dreadful scene."⁸⁴

However, just at this time Hamilton could not meet with the President and General Knox because he was confined to bed with effects of a fever. His physician comforted with assurance that "the disease bears no affinity to the prevailing one," and Hamilton thought he exposed himself too soon to the cold air.⁸⁵ The following day he was well enough to write the President his further reflections on the place of meeting of Congress. He was now convinced Philadelphia would be safe. But as the fears of members

would increase with their distance from the capital (as he himself had learned at Albany), they should be informally bidden to Germantown in advance to persuade themselves of the fact.⁸⁶

Directly thereafter he was immersed in Cabinet meetings principally concerned with protecting our neutrality. (The yellow fever had been bad enough, without the antics of Citizen Genêt, whose privateers had brought in prizes that must now be restored to their owners.)⁸⁷ Hamilton, from illness again, could not attend the President November 22 and 23, but sent from his home reports on letters of Genêt.⁸⁸ His uncertain health may have had a part in a reluctant consent that the children should remain longer with the Schuylers at Albany.⁸⁹

Hamilton set down a list of topics that might be treated in the President's speech at the opening of the new Congress (December 3) and in messages later. Numbers of these, as elaborated by Hamilton, were used by Washington. The speech began with a justification of the proclamation of neutrality, and proceeded with fiscal matters. These last included announcement that accounts were settled between national government and the individual states, need to commence a sinking fund, and the requirement of additional revenue.⁹⁰ Hamilton devoted the text of a subsequent brief message to the necessity for military preparation for a war that seemed likely to be forced upon us.⁹¹

Anticipations of a Treaty

HAMILTON'S doubts of the political and personal reliability of Tench Coxe, who took Duer's place as assistant secretary in May, 1790, commenced as early as the spring of 1793. As commissioner of the revenue he joined Hamilton in endorsing McHenry's candidate for a Maryland inspectorship, and all supposed Washington would approve the nomination. Later Coxe, thinking this man the enemy of his Tilgham relatives, ran him down. Vans Murray agreed, and McHenry's nominee lost the appointment, to Hamilton's regret.¹ Two months later the voluble William Heth, determined to maintain our neutrality, characterized some abandoned characters around him in Virginia who would see us drawn into the war. In this connection he inserted a footnote, "If I am not greatly mistaken . . . you have a man near you whose pen, notwithstanding the magnanimity of his country . . . and . . . *your* personal friendship towards him has been . . . abusing the measures of Government, and particularly your official conduct; and whose study has been to sap, and undermine you, in hopes of filling your place. . . . The time *may* come, when I may . . . be more explicit." Heth was bound to fasten Hamilton's scrutiny on the suspect. "Watch him narrowly. Attend closely to the motions of his eyes, & changes of countenance, when he supposes you are placing confidence in him, and you will not be long in discovering the *perfidious & ungrateful* friend."²

Tench Coxe's political shifts, with eyes on the main chance, seem to have sprung from his constant feeling of insecurity. In spite of talents, he always found himself cast in subordinate rôle. Before Hamilton's death he had adopted Democratic allegiance, and ended his career in pathetic and ill-rewarded supplications to Madison and Jefferson for office.³ His fears for himself, in his relations with Hamilton, were early manifest. An entirely Federalist committee—Smith of South Carolina, Wadsworth, Benson—was appointed (January 19, 1792) to consider any alterations that should be made in the Treasury and War departments, and its report was submitted six weeks later.⁴ The act, approved May 8, 1792, made changes which Hamilton had advocated. The forms of all public accounts should be prescribed by the Treasury; particularly the finances of the War Department were brought under Treasury supervision, and the Treasury should henceforth make all contracts for army supplies and Indian goods. The Secretary of the Treasury should direct collection of duties on impost and tonnage as he thought best. The office of Assistant to the Secretary, to which Tench Coxe had succeeded following Duer's resignation, was abolished, and that of Commissioner of the Revenue was substituted. The salaries of several officers (but not of the secretary) were increased.⁵

After debate and some alterations the bill had been passed in the Senate in mid-April and sent to the House, where it was delayed in passage until May 7, the day before adjournment.⁶ In the interval Coxe feared he would be left without an office, and complained to Hamilton. His exclusion, said Coxe, would not sit well with friends of the general government who had known his services from the Annapolis Convention to the present. Dignity, under unmerited humiliation, would prompt him to resign, but the necessities of his family did not permit him that retort. Coxe ended by praying "with an aching heart, for the consummation of your noble scheme of national Happiness. . . ." He was sure of its success, though (moved doubtless by his own experience) he despaired of Hamilton's personal felicity in the process.⁷ Actually, Coxe was named Commissioner of the Revenue with full responsibility under the secretary, for collecting all taxes.⁸ Whether Hamilton intervened with friends in the House on Coxe's behalf

does not appear. It was not long after this that relations between Coxe and the secretary became strained.

Hamilton rejected suggestions by Coxe that Hamilton, by absence on the Western expedition, had been responsible for delays in discharge of Coxe's assignment in the Treasury. Though seeking to avoid collision, Hamilton wrote for the record.⁹ Maybe Coxe considered that he should have been left in charge of the Treasury when Hamilton was absent on the expedition to suppress the whisky rebels. The day after Hamilton left office he had a note from the President, still addressing him as secretary, enclosing a letter and document for his information. Hamilton endorsed it, "This covered a letter from Mr Coxe of the 31st of January 1795[;] contains a charge against Mr. Wolcott for my having committed to him & he having exercised the duties of Secy of the Treasury in my absence on the western expedition. AH"¹⁰ Six months after leaving the Treasury, Hamilton remarked to Wolcott, "I do not wonder at what you tell me of the author of a certain piece ["Juriscola," attacking the Jay treaty]. That man is too cunning to be wise. I have been so much in the habit of seeing him mistaken that I hold his opinion cheap."¹¹ Coxe was a signer with Dallas, Peter Muhlenberg, and others, of a circular supporting Thomas McKean for governor of Pennsylvania, in which principal features of Federalist policy were stigmatized.¹² A correspondent in a Federalist paper, reviewing characters on McKean's committee, reminded that Coxe "adhered to the British cause during the . . . revolution," and another called him a Janus, flatterer, fawner.¹³

Jefferson's report on treatment of our commerce by foreign countries, ordered two years earlier, was laid before the House December 19, 1793.¹⁴ The method was summary, dealing with chief countries and commodities. His data came down to the summer of 1792, "when things were [still] in their settled order."¹⁵ The statement was factual except for Jefferson's opinion at the end of appropriate means of redressing discriminations. Universal free trade was desirable, and reciprocal arrangements toward that end should be pressed. But where a nation persisted in restrictions or prohibitions, we must retaliate in kind. With emphasis on Brit-

ain, he pointed to particular measures which we should adopt. The inconveniences to us of such retorting acts were "nothing when weighed against the loss of wealth and loss of force, which will follow our perseverance in the plan of indiscrimination."¹⁶

Tench Coxe, Hamilton's assistant in the Treasury, aided Jefferson from first to last in preparation of the Secretary of State's report. Coxe furnished materials, urged reasoning substantially agreeing with policies which Jefferson advocated, and made suggestions on final form of the document.¹⁷ Coxe, while an important Treasury official, was an economist of independent reputation and had no commitment to support Hamilton's position on all measures. Still, he had an element of duplicity in his make-up, a willingness to work both sides of the street. Hamilton found him incompatible in disposition as in certain—not all—of his principles.

A fortnight later Madison embodied Jefferson's recommendations in seven resolutions paying in their own coin nations hostile to our commerce. Though not by name, Britain was the target of his attack, and France was favored. The device was to penalize countries with which we had no trade treaty (Britain the chief), and which were held to violate the law of nations (Britain only). Import duties were to be raised by unspecified amounts on leather, iron and other metals, cotton, wool, and other textiles. Tonnage rates should be raised for nations not in treaty with us, lowered for those with treaties (France, Prussia, Sweden, Holland). Limitations on our shipping were to be copied. Losses from (British) seizure of our vessels and cargoes should be reimbursed to our citizens from proceeds of duties on the offending country. These steps should be taken gradually. Our revenue would not suffer. We had our own food, and could find substitutes for excluded manufactures.¹⁸ Madison and his friends wanted almost immediate consideration of these resolves, but the Federalists, enlarging on their serious and complicated nature, had them put off for ten days.¹⁹

Then (January 13, 1794) William Loughton Smith, of South Carolina, made elaborate reply, commencing a debate which, with intervals and shifts of topic, continued until mid-May. This controversy became ever sharper between attacking Democrats and defending Federalists. It induced the latter to seek safety in

a treaty, political and commercial, with Great Britain. It was against this background of conflict that John Jay was dispatched to his negotiations in London and that his treaty, when known here, became a bone of contention.

Smith's speech, some fifteen-thousand words, was written by Hamilton.²⁰ All in Congress and not a few in the country must have known that this fully informed, comprehensive treatment, let alone its flavor, could not have been put together by a member on the floor in a short space, able and committed as Smith was. Every sign pointed to Hamilton's authorship.²¹

Hamilton's rejoinder to Jefferson's report and Madison's resolves, both placing France in a fairer light, as regarded conduct toward us, than Britain, began with two propositions. First, the discussion should be held to commercial considerations, eschewing political passion likely to distort the image and derange the conclusions. Second, the comparison should be limited to the regular commercial systems in use before outbreak of the French Revolution, since after that event policies were colored by exigencies of the moment.²²

Gratitude to France for commercial partiality toward us, and blame of Britain for equal hostility, though ringing in the public's ear, were not borne out by a table of our exports and imports. So saying, Hamilton proceeded to subject Jefferson's figures to a scrutiny which their compiler could never have contemplated. The reverse of the popular impression was the fact. Hamilton was able to show this by breaking down the general into the particular, but also he had superior familiarity and insight. This as to evidence. When it came to conclusions, the formation of policy, his reasoning made Jefferson's promptings seem superficial and hasty. The contrast was that between the stranger and the shepherd who knoweth his sheep. Taking our chief exports, as Jefferson had done, Hamilton showed that Britain was twice as good a customer to us as France. Nor was Jefferson correct in the assumption that most of what Britain received of us was reexported. That was a mistake based on colonial conditions.

By Jefferson's own statement, three-fourths of our imports were from Britain and her dominions. This was because Britain had the necessary industrial skill and the commercial capital. This use of Britain's capital freed our own small accumulation to be-

gin the work of developing our resources. British credit was to our young country "an essential nutriment."²³

He turned to navigation, employment of our shipping. Our vessels were excluded from the British West Indies, except for taking salt from Turk's Island. France admitted to her islands our vessels of sixty tons and upward. On the whole, embracing European and island dominions, the system of France was more favorable to our carrying trade than that of Britain. But the Secretary of State had fallen into error in putting our tonnage engaged with France at nearly three times that with Britain. His fallacy was in counting not ships but inward entries of each. By this method, a vessel making four entries a year from the French West Indies was credited with twice the tonnage of a vessel of the same capacity making two entries a year from British (European) ports. The actual tonnage was, with French dominions, 82,510; with British, 66,582. But Britain was our better supplier and customer for goods.

The retaliations urged by Jefferson and Madison were aimed at Great Britain. Inspired by political hatred, they would convulse three-fourths of our import trade, two-fifths of our export trade, and two-thirds of our revenues. We would not easily extort favors from Great Britain. Nonimportation (stronger medicine than an increase of duties) had not persuaded Britain to abandon her Navigation Act. She was not feeble, tottering toward bankruptcy, but a proud and resistant nation. Here Hamilton anticipated arguments which were to appear in his *Camillus* essays supporting Jay's treaty. We were the weak country; we must be content to make haste slowly. The British had the resources of a varied economy and a population politically disciplined. Deprived in one quarter, their government could rally means in another. Our case was the reverse. Our faculties were few and simple, and revenue lost would not be readily replaced. We could not hazard commercial war with our best customer and customs payer. (In such observations Hamilton spoke as the national economist, too much aware of the composition of our society to yield to caprice.) In all departments we were advancing fast, but had not come far enough to warrant sudden experiments. More maturity, more internal capacity would one day free us to encounter even war if that were necessary. But that

consummation was in the patient future. In the meantime we should seek treaties, not indulge in politically inspired reprisals.²⁴

The very next day Madison was ready with counterarguments. Proposals for commercial discrimination on our part were as old as the Confederation. It was high time we asserted our rights. We were in advantageous position to do so. He quoted Anderson's *History of Commerce* to show dependence of industrial Britain upon us, both for raw materials and food, and as customer for her finished products. We, on the other hand, could do without superfluities, could manufacture for ourselves (especially in households), and would make up elsewhere the public revenue we lost on imports from Britain. Madison's reply to Hamilton's analysis had the merit of promptness, though generally he was vague and speculative. His design of favoring France against Britain was unmistakable; revolutionary France presented not a fugitive but a "settled order."²⁵

As debate wore on, day after day, the Federalists lost in their efforts to keep the discussion to commercial grounds. Ames, as their floor leader, called in vain for more facts and less fierce temper. "The friends of the resolutions," said Nicholas of Virginia, "conceived that every American must feel the wrongs we suffer, and they offered the resolution as a counter-terror."²⁶

Richard Bland Lee, of Virginia, had called the British lovers of liberty. Smilie, soon to be an actor in the scene of insurrection in Western Pennsylvania, asked whether British attachment to freedom was shown "by breaking our treaty, by withholding our posts, seizing our ships, attempting to starve France, by infringing the Law of Nations, in preventing our vessels from carrying there provisions, exciting the Indians to murder us, letting loose the Algerines upon us?"²⁷ Though Giles, Hamilton's particular congressional foe in these years, undertook to answer Smith's (Hamilton's) exhibits, he mostly assailed them for excluding recent proofs of British perfidy toward us.²⁸ Tracy of Connecticut offered a sage comment that Madison's resolves went too far and not far enough. For commercial purposes they were too much, for political objects too little.²⁹

When Federalists put forward our flourishing condition, the progress we had made in four years in manufactures and shipping, their opponents took this as sign of strength which should embolden

us to defy the British for old and new wrongs visited upon us. Congress was unquestionably split into pro-French and anti-French parties. The conflict in Europe, ideal and military, was reflected here as in a camera. That politics had the upper hand was plain because the proposed restraints on Britain, ostensibly beneficial to mercantile interests of the North, were there opposed, while they were espoused by Southern planters expected to suffer by higher prices of manufactures and costlier carriage of staples. Americans who made themselves determined partisans of European foes could not be reconciled while war raged abroad. The situation was similar to that in the Soviet Union after Stalin came to power. Adherents of Lenin and Trotsky, like the American Democrats, wanted to liberate the world, welcome revolutions everywhere. Stalin, more on the pattern of our Federalists, looked inward to the advantage of his own country, found enough to do in domestic transformation, calculated national rather than international interest.

Madison's first resolution, the general one declaring desirable further restrictions on foreign manufactures and vessels, passed with five votes to spare (February 3), and soon thereafter further consideration was postponed. When debate was resumed six weeks later, events had persuaded many members that war with Britain was imminent. Commercial retaliation therefore appeared "feeble and remote." "Why proceed in regulating our commerce," asked Hartley of Pennsylvania, "when . . . commerce is to be saved from annihilation?" We should look to our military and naval defenses and devise new sources of public revenue.³⁰ "When war is staring us in the face," Vans Murray warned, "the resolutions are not proper." To stem "the torrent of British injustice," let all intercourse with that nation be stopped until she gave us satisfaction for injuries.³¹ Sedgwick tried in vain to keep the discussion to pacific measures. The House swiftly laid an embargo for thirty days on all vessels bound for foreign ports, and it was promptly approved by the Senate, March 26. A committee of three Federalists was named to devise a bill for continuing and regulating embargoes.³²

A bipartisan committee of fifteen, with Smith of South Carolina as chairman, was to seek revenues to replace import duties that would be forfeited. This instantly brought to his feet Page of Virginia. He renewed his complaint that appeal to the Secretary

of the Treasury—though members declared him “the only person qualified to direct their judgment in a question concerning finance”—abandoned a precious function of the House. It was worse if a large committee sought and reported the secretary’s recommendation, for then unbiased examination by the House was improbable. He assured that without the secretary’s help the committee could “in a single day, devise the necessary ways and means,” from extra tonnage dues and sale of public lands. However, if the secretary’s vaunted wisdom was essential, let it come to the House unsponsored.³³

War loomed ever closer. Coast artillerists, 80,000 militia in readiness for marching, and a continental army to be raised in event of hostilities were proposed.³⁴ Immediately Dayton urged sequestration of all debts due from American to British citizens, these debts to be paid into our Treasury and held to indemnify for injuries by sea. He believed outright confiscation actually warranted. Smith of Maryland, in spite of passionate approval, took pains to exempt property in our public funds as sacred. Here were two who had held to a moderate course, filling sails on a different tack. Boudinot, echoed by Mercer, pleaded for calculation. We should not wound our credit by diverting payments. First let us seek redress by sending a special envoy. This would be the best chance of securing peace.³⁵ Smith of South Carolina, doubtless primed by Hamilton, argued against sequestration. To his mind public or private debts were all one for this purpose. If we fought Britain, Holland was her ally, and were we to sequester what was owing to traditionally friendly Dutchmen? At most he was for interrupting payments pending negotiation. Giles in a long speech assailed this position. He considered war probable, the result of our conciliatory policy. Diplomatic adjustment must be fruitless. It was time to assert our right.³⁶ This belligerent temper, as we shall see, was of the sort that stirred the Federalists to speed Jay’s embassy.

The embargo was continued to May 25, but no longer.³⁷ A motion in the House for nonintercourse with Britain until specified features of the Treaty of Peace were complied with was continued after Jay was nominated to negotiate.³⁸ It passed in a less threatening form,³⁹ but was killed in the Senate.⁴⁰

The Federalists for the nonce were successful. This animated

debate compelled them to send Jay on his mission to come to terms with Britain. The whisky rising, while he was gone, and the crushing of it, probably aided final acceptance of the treaty. This so composed differences with Britain that America next took umbrage at France, though the Federalist President Adams again averted war. Ironically, peace efforts of the Federalists contributed to war within their own ranks, the factions led by Hamilton and Adams, or, more correctly, by Hamilton and Adams' friends. Another irony, later, was that when war did come, our second with Britain, it was provoked by Whigs on whom the Federalist mantle had fallen, Whigs who cried up our sufferings in foreign commerce while their true aim was domestic integration.

It has frequently been charged that Hamilton, while in the Cabinet, was too confidential with the British minister and usurped the functions of the Secretary of State. Before subscribing entirely to this view, several points are to be remembered. The Federalist administration was eager to carry the treaty with Great Britain into full effect, which meant cultivating good relations with our recent enemy, a power still regarded with suspicion by most of the people. After war opened between England and France, chief complaint against the former was disruption of our trade with the French West Indies and seizure of our foodstuffs shipped to France whether in our own or other neutral vessels. The Southerners, who had less weight with the administration, hoped for compensation for slaves carried off by the British, but on the other hand they owed large debts to British subjects which would more than offset this gain. Many blamed the British, still occupying the Western military posts, for inciting the Indians against our frontier settlements.⁴¹

France, on the contrary, enjoyed sentimental gratitude, had a clamorous faction here in sympathy with her revolution, had neither reason nor means for depredations on our shipping and supplies. Debts owing there were public and in process of payment, not private and impending. France had no troops on our soil, no part in Indian troubles.

Until 1791 Britain had no minister in America, but thereafter George Hammond was in steady residence until 1795. If any accusation lay against him it was that he was too friendly with our

government. Republican France, in the critical period, had two ministers here (or by a slight extension, three). The first, while he had the qualified credence of Jefferson as Secretary of State, violently opposed the administration, sought to discredit the President with the people, and was dismissed. The second, ironically, had much to do with the resignation of Randolph, who had then succeeded to Jefferson's post. Thus dealings of the administration with the British minister were easier than with the representative of France. Jefferson and Randolph were not on good terms with Hammond, and anyhow the first left office at the end of 1793.

Besides, Hamilton, unless by extraordinary exertion of will power or observance of the proprieties of which nobody but Washington was capable, was fated to favor the British minister. Peace was the prerequisite of success of Hamilton's policies, now on trial. Nobody expected war with France, but many feared and others promoted war with Britain. Hence Hamilton must cultivate the "British interest." This was partly cause, partly consequence, of his quarrel with Jefferson, which exacerbated all the official tensions of the time.

Lastly be it said that Hamilton all along preferred the British political character to the French. Briefly he accepted the French Revolution before its consequences were apparent, but thereafter he was the unremitting foe of its violence at home and the disorder which it propagated in America. It should not be forgotten that Hamilton had done his part in stirring and carrying through our revolution. But his willingness to overthrow the British government of the American colonies was of the traditional British sort, constitutional and legal rather than philosophical and libertarian.

So, the welfare of his country coinciding, as he saw it, with his own penchant for orderly progress, it was natural that Hamilton wished to cement relations with Britain. His strong distaste for and distrust of French behavior gave an additional impetus in this direction. Whether he needlessly or imprudently meddled in the sphere of the Secretary of State is a connected question. The answer is that he did interfere. As noted in other instances, this conduct sprang from his zestful concern for the prosperity of the new national enterprise. Division of functions in the Cabinet could not be so distinct as later. President Washington had only three heads of departments as advisers, on most matters only two,

where the Secretary of War was not involved. The health of the Treasury depended more on foreign affairs than successful conduct of foreign relations hinged on Treasury operations. Customs receipts were the main income reliance, and French sympathies helped to thwart collection of the excise during this period. These features were in the nature of our simple governmental organization then, and in the events that were transpiring. But apart from these excuses, Hamilton's exuberance, the ardor of his commitment, the trust in which he was held would have impelled him to act in much the fashion that he did. Moreover, both he and Jefferson, besides being Cabinet ministers, were in process of becoming heads of political parties which knew no limitations, had no administrative assignments. This was the true meaning of the President's remonstrance with each of them when their differences were most emphatic and public. How could he expect harmony in the American government—long the fatuous hope—when his chief assistants were rapidly acquiring extracurricular functions?

Aside from poaching on another's preserve, if Hamilton did that, did he on occasion reveal to Hammond, the British minister, information, say Cabinet decisions, which were intended to be secret? Again speaking strictly, yes. Most of his conversations with Hammond disclosed his own policies, which in many instances were or became those of the administration. Diplomats are directed to inform themselves, and as far in advance of the need for action as possible. Hammond always came to Hamilton, far oftener than to the Secretary of State or the President, if we judge by his confidential reports. We have no instance of Hamilton volunteering to the British minister knowledge or views, though he certainly spoke freely in response to inquiries.⁴²

Hammond's correspondence with Lord Grenville, the British foreign secretary, shows repeatedly that he found Hamilton sincere and straightforward, a quality which a diplomat, when he came upon it, prized. Moreover, he valued Hamilton for his abilities. He lamented Hamilton's departure from the Cabinet because it deprived him of confidential intercourse with "the most influential member of the administration."⁴³

Hamilton early projected in his own mind the conditions that would induce this country to complete execution of the peace treaty. These turned out to be remarkably accurate. In a gen-

eral discussion with the British minister at the beginning of 1792, he indicated, but with caution, his conviction that the United States when the posts were surrendered would permit the British to continue their fur trade. With respect to abduction of the slaves, he appeared partly to agree with the British position, thought this claim was less important than others of America. He guessed (mistakenly) that the British were correct about the River St. Croix. Hammond listed contraventions of the treaty as he was abstracting them for the British government. Hamilton "admitted their magnitude, and owned that they could not be vindicated upon any other principle than the inefficiency of the former Congress to enforce respect for its own regulations." However, where British creditors had come into our courts, decision had uniformly been based on the peace treaty. Hamilton urged "with much . . . emphasis the anxiety of this country to obtain a small participation in the carrying trade with the [British] West Indies," exclusive of export of their products to Europe. To this plea Hammond was silent.⁴⁴

Both Jefferson and Hamilton told the British minister that America was anxious to resolve difficulties with his government. Hammond was as fearful of the first as he was comfortable with the second. "Mr. Jefferson is so blinded by his attachment to France, and his hatred of Great Britain," he reported to Grenville, "that he would without hesitation commit the immediate interests of his country in any measure which might equally gratify his predilections and his resentments." Hamilton on the contrary would exert himself to defeat any proposition on the part of France that would budge this country from neutrality. Hamilton must be honest in this because "any event which might endanger the *external* tranquillity of the United States, would be as fatal to the systems he has formed for the benefit of his country as to his . . . personal reputation and . . . his . . . ambition."⁴⁵

Hammond, if Grenville authorized him, was ready to commence practical negotiations to settle unfinished business with the United States. A bar would be that he found Jefferson's attitude intransigent, his language acrimonious. The United States had fulfilled the treaty. Was Hammond empowered to shorten discussion by consenting to execution of it by the king? Jefferson laid "much too great . . . stress upon the priority of the British infractions,

which he considers . . . a sufficient apology for, if not a justification of, all the subsequent conduct of the individual States." Jefferson's report on commerce of the United States with other powers was still postponed from motives which Hammond impugned. It contained "false and absurd statements,"⁴⁶ would be refuted when Hamilton should submit a treatment "of a very contrary tendency."

Hammond took his complaints of Jefferson to Hamilton, who received him "with the strictest confidence and candour." The Secretary of the Treasury lamented the intemperance of his colleague, thought his recent reply to Hammond did not accord with the sentiments of this government.⁴⁷ (It is patent that the two secretaries were belaboring each other over the shoulder of the British minister; their converse with him embittered their quarrel which had more causes.)

Professor Bemis' charge that Hamilton's "reprehensible" disparagement of Jefferson's statement of the American position destroyed its effect with the British government is⁴⁸ not borne out by the record. First of all, it is implausible that British diplomats, eager to forward a negotiation with this country, would reject a lengthy, formal representation by our Foreign Secretary, "a model of a defensive state paper," because they "took for final Hamilton's private opinion." Also, this reason is at odds with the other assigned, that Jefferson's argument "was so difficult to answer." This last says that the British studied the American brief with deep concern, which is the opposite of brushing it aside because another member of Washington's Cabinet discounted it.

Bemis would have it believed that Hamilton, who later, according to this version, blasted British credence in Jefferson's contentions, earlier substantially agreed with his Cabinet colleague.⁴⁹ Actually, Hamilton's amendments when Jefferson submitted a draft to him were of weight and were so considered by Hamilton, for he said they were offered "without reserve." Hamilton principally contended that the states had been guilty of infractions of the treaty which could only be extenuated, not justified.⁵⁰

Apparently Jefferson had no intention of securing the President's approval of his lengthy letter, which he had supposed would be given to Hammond before Washington's return from Mount Vernon. However, finding that Washington would be back, Jefferson gave him Hamilton's objections and his corresponding com-

ments pro or con, "to be perused at his leisure," which could not have been much. The President, according to Jefferson, "approved of the letter remaining as it was. . . ."⁵¹

Hammond went to Hamilton only after "considerable surprize" had been excited in the British minister's mind by the inaccuracies, "unjustifiable insinuations" and "general acrimonious stile . . . of this letter" of Jefferson. Hammond then offered "very freely my opinion of this extraordinary performance." Hamilton lamented the "intemperate violence" of the counterthrust of Jefferson, said it was far from meeting his approval "or from containing a faithful exposition of the sentiments of this Government." President Washington "had not had an opportunity of perusing this representation" as he had returned from Virginia the very day it was delivered to Hammond. Instead, the President "relied upon Mr. Jefferson's assurance, that it was conformable to the opinions of the other members of the executive government." Hammond sent Jefferson's paper to Whitehall.

Six days before, Hammond "took . . . immediate notice of the paper to Mr. Jefferson himself," writing (June 2) in preliminary, summary way his dissent from the American secretary's facts and arguments. This fetched Jefferson to Hammond's house, but finding the Englishman from home he sent a note asking for a call the next day. Then the two had "a very long conversation." They "proceeded to examine the particular differences (as to facts) . . . in our respective statements," but they were "completely at issue upon . . . the specific nature of the infractions mutually complained of by our two countries. . . ." Jefferson's points were dealt with on their merits, would be submitted to Grenville for final decision, and then Hammond would "be ready to proceed in the negociation."⁵²

Hammond's account of this being a frank discussion is confirmed by Jefferson. The British minister "took a solo dinner with me, during which our conversation was full, unreserved" and, said Jefferson, furnished Hammond a completely new view of the controversy.⁵³

Not only was Jefferson's statement explored by Hammond in this country; it was examined critically by the British government. Hammond had informed Grenville that most of his factual information came from the consul, Bond, who, being in England, could

"give your Lordship the most satisfactory explanation of any part that may appear to be either weakened or refuted by Mr. Jefferson's reply." Promptly Grenville informed Hammond that Bond was giving the American statement an "attentive perusal," would then make his observations, and that negotiations must be suspended "till Mr. Jefferson's Paper can have been thoroughly examined." In the interval Hammond must press claims of British creditors.⁵⁴ As late as October 3 Hammond was employing "every exertion to acquire, the most comprehensive information on the . . . facts contained in my statement, which Mr. Jefferson in his answer has thought proper to controvert." While "extremely solicitous" to learn Grenville's sentiments and receive Bond's comments, he was convinced against Jefferson's arguments as "overcharged" and often "irrelevant."⁵⁵ Bond's observations when submitted to Grenville filled twenty-five pages.⁵⁶

Thereafter the tense situation in Europe increasingly absorbed the energy of the British Foreign Office, and any spared for America was devoted to limiting our view of our treaty commitment to France. On February 8, 1793, Grenville notified Hammond that the French National Convention had declared war on Great Britain and Holland, and immediately the effort was to keep this country neutral, not to pursue the former negotiation. Soon came Genêt whom Hammond was to join in combat.⁵⁷

Hamilton's conduct in responding to Hammond with information and opinions may have been unbecoming, but there is no evidence that he thereby dismissed Jefferson's reply from British consideration. On the contrary, the statement was debated by Hammond with Jefferson, was then rebutted here and in London, and the British minister in Philadelphia was eager to know the verdict of his superiors upon it. Only the outbreak of war and Jefferson's retirement seem to have prevented some answer.

Hamilton, generally cordial toward the British minister, could also be unresponsive to his advances. Grenville had directed Hammond to tender the good offices of Great Britain in producing peace between the United States and the Indians. The proposal was for a buffer or barrier zone of Indian hunting grounds, forever inviolate, separating territories of Britain and the United States. Coupled with this should be American agreement for justice to British creditors.⁵⁸ When Hammond broached this to Hamilton,

after St. Clair's defeat, Hamilton said "briefly and coldly" that the United States would cede no territory nor allow another power to interfere in disputes with the Indians. The bands victorious over St. Clair were from within confines of the United States, and we would be degraded in their eyes if we accepted British mediation. If justice and kindness toward the Indians did not suffice, they must be compelled by force. The idea of a neutral Indian zone would not do. On these points Hamilton was so "determined and unequivocal" that Hammond was convinced they would never meet agreement by this government and for the success of his mission they should not be brought forward.⁵⁹

Some weeks later the British minister was confirmed in this view when he discussed the Indian proposition of his home government with Jefferson and Knox. Hamilton and Knox assured him that this country would permit the British to trade with the Indians dwelling in United States territory, even establishing factories at places of communication between the lakes, all within the American line, provided we could trade with the Canadian Indians. The Canadian governor Simcoe at once forwarded a memorial of Montreal merchants declaring such a concession would reduce evils of surrender of the military posts.⁶⁰

Hamilton was similarly friendly in declaring that the United States would not deny to Britain equal access to the Mississippi. The mission of Short and Carmichael to Spain was to secure for the United States a seaport at the mouth of that stream. Though Spain had always clogged American applications with absurd conditions, such a port was essential to America, and eventually by any means we must have it.⁶¹

Of course, it was the British minister's duty to report to Downing Street any crisis in this country, real or fancied. In the autumn of 1792 he docketed one in which he, not intentionally, had figured. The President had been unable to bring about a reconciliation between Jefferson and Hamilton, and in the recess of Congress "several publications have appeared in the newspapers . . . in which the comparative merits of . . . these Gentlemen have been freely discussed by their friends and opponents. . . . This state of avowed hostility between two out of the three members, who compose the . . . administration . . . would necessarily have obliged the President to require the resignation of one of them." Jefferson

anticipated this, saying he would soon retire from public service forever.⁶²

Already magnetized to Hamilton as one able to assist his legitimate diplomatic objects, the British minister was now ordered to furnish assistance to American leaders favorable to Britain's cause in the impending war with France. This meant Hamilton and the Federalists generally. The French minister to the United States, soon to arrive (Genêt), was charged by his government, said Grenville, to concert measures with public men approving "those dangerous and delusive Principles of Liberty and Equality which the French Demagogues are labouring to establish in all countries." Genêt intended to issue letters of marque, fit out privateers in American ports. To defeat these aims Hammond must "lose no opportunity of supporting . . . those persons . . . disposed to maintain the . . . Constitution of America and those Principles of Government which are congenial to the Constitution of Great Britain. . . ." Grenville listed some pertinent British tenets—free ships did not make free goods; contraband, though American property, going to French ports was liable to capture; and food, though neutral and innocent, might not be carried to ports besieged.⁶³

Hammond complied at once with Grenville's injunction by holding conversations with Hamilton which he labeled "Most Secret and Confidential." If rumors of war between Britain and France proved true, Hamilton was "immoveable in his determination . . . of employing every exertion in *his* power to incline this country to adopt as strict a neutrality as may not be . . . contrary to its public engagements." The President concurred with Hamilton. The secretary disclosed that the Cabinet rejected a proposal of France to take the remaining debt in flour and wheat. No, the Americans would allow no change in the form of the debt, would pay in money to the French authorities actually in power when installments became due. The British minister would continue to cultivate Hamilton, but he had little to do with Jefferson, "the devoted instrument of a French faction."⁶⁴

Six weeks later, Hammond had more urgent reason to consult Hamilton. Genêt had arrived, and two of his privateers were busy taking prizes. Hamilton "perfectly coincided" in British principles

covering neutral commerce. He would "be responsible for the concurrence of all the members of this administration in the admission of their propriety to the fullest extent."⁶⁵

Genêt nursed pro-French sympathies, reestablished in Philadelphia a club affiliated with the Jacobin clubs of Paris. Partly in cipher Hammond reported learning from Hamilton that Genêt had remonstrated vehemently to this government against its conduct since his arrival. On the question of neutral rights Jefferson really agreed with Hamilton. Propositions sounding otherwise, sent to Pinckney, American minister in London, "are not meant to be seriously enforced."⁶⁶ Soon Hammond had more news "from a confidential quarter, (which your Lordship will easily conjecture). . . ." Genêt in his menaces to the Cabinet threatened "to appeal from the government to the people of the United States. . . ." The defiant sailing of the *Little Sarah* was because this government had no cannon in readiness. The "final and unanimous" decision in the Cabinet was to tell Genêt there would be in future no asylum for French privateers equipped in American ports. If illegal prizes were not restored, the United States would compensate for them from sums due to France. Moreover, Genêt would be notified that request would issue for his recall.⁶⁷

The British minister found Hamilton anything but compliant on instructions to British ships of war to arrest neutral vessels carrying goods to or from French possessions. This was "a . . . harsh and unprecedented measure" which would militate against American exports. Hamilton was not convinced by Hammond's attempt at justification.⁶⁸

Hammond was beset in the spring of 1794 by outcry against "spoliations, detentions and vexations committed by [British] privateers." Moved by the British orders of November 6, the House debated an embargo and sequestration of debts due British subjects as security for indemnification for American property captured by British cruisers. The democratic societies were multiplying, and added to abuse of Britain's conduct. The administration, to prevent a rupture, would send an envoy to London, either Jay, Hamilton, or King.

What would be the instructions to the special commissioner? Hammond repaired to the Treasury for information. He put the

British orders of November and January in the best light. "I was however much surprized . . . that [Hamilton] did not receive those explanations with the cordiality I expected, but entered into a pretty copious recital of the injuries which the commerce of this country had suffered from British cruizers, and . . . a defence of . . . the claim which . . . American citizens had on their government to vindicate their rights." Negotiation would be tried before proceeding to extremities. But a condition precedent to adjustment would be indemnification for all American vessels condemned in the West Indies for which appeals could not be prosecuted.

Thus answered, His Majesty's minister entered on the theme of Britain upholding virtue against vice in this unexampled war; she could not allow a commerce, however advantageous to the United States, which was more beneficial to France, and so on. "Here Mr. Hamilton interrupted me with some . . . heat and remarked that however the govt. of Great Britain might be united against France, he doubted not that when the wrongs which . . . American commerce had suffered were known in Great Britain, a . . . powerful party might be raised in that nation in favor of this country." Hammond expressed "astonishment" that Hamilton should entertain a view so demagogic, and some time later feared that the prevailing popular ferment had worked on Hamilton, "who has hitherto been . . . the most moderate of the American Ministers."⁶⁹

Hamilton's rebuff to Britain did not hinder reliance on his influence. If he poached on preserves of the Secretary of State (Randolph by now), in one instance the Foreign Office in London requested it. Grenville wrote Hammond that conversations with Jay showed the need to end the Indian war, but Jay was not instructed to accept the king's mediation. Hammond should take this up with Hamilton confidentially, arguing the importance of it to the United States before evacuation of the posts. ". . . even should he express . . . disinclination [of his government] to enter into any public Stipulation . . . , such an arrangement might be settled between him and yourself by a secret understanding . . . to be communicated to Lord Dorchester [colonial secretary] and . . . Governor Simcoe [of Canada]." There were many reasons for wishing this important business "may . . . pass between you and Mr. Hamilton, without any communication of it . . . to Mr.

Randolph," whose whole conduct gave dissatisfaction in Downing Street, particularly his implications that the British supported the Indians.⁷⁰

Hammond remained long enough to see the treaty ratified by the Senate, conferred on further prospects with Hamilton and Jay in New York, and left for England.⁷¹ Bond, the chargé, anxiously watched the contest in the House, and when the appropriations were voted, pronounced a verdict on the whole episode which accorded with Hamilton's wishes. The success of the treaty was "a virtual Reprobation of those Principles, which have been productive of so much Confusion."⁷² Soon Robert Liston, the new minister, was congratulating Grenville that Rufus King, conspicuous friend of the treaty, was to represent America at the British court. Washington's Farewell Address had made "a deep impression upon the mind of the publick; it has so raised his reputation for wisdom ability and patriotism that his enemies" were silenced. The Democrats made what capital they could of the elevation of champions of the treaty. They spread the report that Federalist strength in the coming election would be divided between three candidates, Jay, Hamilton, and Adams, while opponents would be victorious by concentrating on Jefferson. But Jay and Hamilton were said to have declared they would decline the contest early enough to defeat this stratagem. In the end Thomas Pinckney, late minister to Britain, might be President.⁷³

Six months later, French spoliations on American commerce roused resentment of the people; "the men of fortune[,] of weight and of character begin . . . to look forward to a close connection with Great Britain as the only wise system of American politicks."⁷⁴

Suppression of Whiskey Insurrection

At the same time that obstruction disappeared elsewhere, trouble in enforcing the excise was cumulative in Western Pennsylvania and in Ohio County, Virginia. Knowing the law would need adjustment as taught by experience, more than any other revenue measure, Hamilton listened to complaints, made administrative changes. It had been urged on him that the duty on capacity of stills be raised so high as to make it the interest of distillers to keep accounts and pay by the gallon. But he noted that some distillers were too illiterate to furnish the necessary record. Itinerant distillers might evade the duty, but Hamilton seems to have rejected severe expedients for securing their compliance.¹

Western distillers were so noisy against the excise as to obscure the fact that Eastern distillers were also subject to tax. Generally the latter protested less because they could not summon the local population to their aid and because, exporting part of their product, they expected drawbacks on imported molasses. "Large quantities of our Rum," a Rhode Islander reported to his congressman, "have be[en] sent to the Balticks[,] the Cape of Goodhope &c and Gin to the East Indies. These seem to be new Marketts." He condemned Southerners opposed to contributing to needed national revenue as Shaysites.²

New England never objected as some districts did, but Levi Lincoln, of Worcester, Massachusetts, offered praise; the excise

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proposal was "much approved of . . . will be very popular."³ Melancton Smith, who had been the enemy of central authority, made fun of those who declaimed that the excise "will subvert the rights of the free citizens of America." He became so lyrical in his sarcasm that one imagines he had fortified himself against the day when he must pay the tax for his toddy.⁴ A Federalist of Powhatan, Virginia, informed Madison that rumors against the excise were dying away. It would not be like the hated tax in England, and would "operate most heavily on the Eastern States." Besides, customs could not be raised higher, and an excise was preferable to a direct tax.⁵ When the Pennsylvania Assembly protested to Congress that an excise was subversive of liberty, Fenno observed that the Pennsylvania excise, still in force, "has . . . lasted so long, that most of the people were born in slavery."⁶

Hamilton chose the inspectors of surveys with care.⁷ It was not always easy to find suitable characters. It must have been especially difficult in Western Pennsylvania, where John Neville, who was selected, had opposed both state and national excise while in the Pennsylvania Assembly. His enemy, Findley, said the people "looked on the inspector as giving up his principles for a bribe."⁸ If so, Neville was wholly bought, for he filled the office with integrity under circumstances of public odium and personal danger. He was the agent at Pittsburgh of William Duer in executing the latter's army contract,⁹ but it is doubtful that this determined his appointment.

Hamilton instructed the supervisors of the excise to insert notices in the newspapers of location of the offices where distillers and importers were to report their stocks on hand July 1, 1791.¹⁰ Later, western parts of North Carolina more than murmured, but now William R. Davie of that state said these regions would drop all complaint if the small amount of state paper still outstanding were made receivable for the taxes. Then demand for specie for the excise would no longer "operate injuriously on the value of our paper."¹¹

Hamilton was manager of the government's policy in the excise. Assumption of the state debts, a capital feature of his funding system, made the tax on domestic spirits necessary. Hamilton devised the plan for collection, prompted concessions when these were desirable, insisted on enforcement when conciliation proved un-

availing. He drew the President's proclamations enjoining obedience to the law. He overcame the inhibitions of Governor Mifflin of Pennsylvania—the state chiefly offending—first in joint conferences and then by constitutional opinions signed by the Secretary of State. He was not content with official maneuver, but as always where possible took pains to prepare public opinion with information and exhortation. With the President's approval he published his factual report on the Western disturbances,¹² and followed that with four numbers, signed "Tully," "To the People of the United States."¹³ Here he warned of the arts of apologists for insurgents, and impressed the lesson that contempt for law conducted to disruption and slavery. He organized the march of militia into the disturbed country, accompanied the expedition, drew the President's instructions for General Lee when the latter took over command,¹⁴ proceeded to Pittsburgh to superintend arrests, and finally inspired the President's condemnation to Congress of the societies held to have incited to rebellion.

One must go through his correspondence and papers day by day in the autumn of 1794 to know how comprehensive was his care for every aspect of the suppression of the rising. Prime matters of timing, of national authority in relation to state function were resolved, but also provision of pay, food, clothing, and transport for the troops, down to minute details, claimed his forethought. He did not allow haste to distract him or others from strict attention to economy and regularity.¹⁵

Forcible resistance to operation of the excise was local, confined as Hamilton said to four counties of Western Pennsylvania—Washington, Westmoreland, Allegheny, and Fayette—containing one-sixtieth of the people of the United States.¹⁶ It might have been limited to lawlessness of the "moonshiner" against the "revenueur," or occasional assaults by small gangs of vigilantes, except that protest against the whisky tax borrowed scope and vigor from prevailing political discontent. This was not the work of outside agents, unless the fulminations of Genêt against the policies of the national government be called such. The democratic societies in the Western country, which were particularly blamed for giving sinister turn to events, were native in membership and conduct. Rather, the times were troubled, and a concrete grievance became portentous. Promptly after the demonstration of some five thousand in-

surgents on Braddock's Field, Hugh H. Brackenridge wrote that "The first measure . . . will be the Organization of a New Government," comprehending the Western counties. He warned a Treasury official, "Should an attempt be made to suppress these people, I am afraid the question will not be, whether you will march to Pittsburgh, but whether they will march to Philadelphia?" This threat sprang from detestation of the funding system "that is ready to burst out . . . everywhere. . . . the Chariot of Government has been driven Jehu-like, as to the finances; like that of Phaeton, it has descended from the middle path, and is like to Burn up the American Earth."¹⁷

This was one man of uncertain or vacillating loyalty speaking to another of like complexion. Hamilton noted of Western leaders that "Threats of joining the British are actually thrown out. . . ."¹⁸ Neutrality, at first accepted as the manifest American policy, was soon perverted by the pro-French party. This was in spite of the indiscretions of Genêt. Our ancient obligations to France were reconstrued, for the British seized our ships and continued to hold the Western posts. Indian depredations had not been redressed. The mouth of the Mississippi remained in hostile foreign hands. This was reputedly a concession to Spain as a return for trade advantages for Eastern ports. The man who thus bargained away the interest of the West was no other than John Jay, whose shameful treaty with England was now like to disgrace the country.

If these discordant winds had blown riots into rebellion, so was Hamilton, as protagonist of the law, under accumulated pressures. He had been a target of all the opposition noticed above. He had been consistently vilified in the newspapers of Freneau, Duane, and Bache, whose sympathies were with the Western insurgents. He had suffered, at the hands of the same party, two investigations by Congress into his Treasury conduct. Each, inspired by party, exculpated him, but the necessity of defending himself had been an unwelcome addition to many duties. Hamilton was doing his utmost to reach a settlement with Britain that would ensure us peace abroad. Now came revolt from Western adherents of those who antagonized the national administration. Come to terms with the Court of St. James's and you collide with riflemen of Mingo Meeting!

The secretary had already given notice to the President that he

would resign shortly, and had invited the House of Representatives to renew its inquiries, if it chose, ere he quit office. He could not leave the Treasury while the revenue was defied with impunity in one part of the country. Distillers elsewhere had paid more than a million dollars in a tax which was not collected, did not enjoy even the machinery of collection, in a refractory region. His very patience had been turned against him, as reason why enforcement should be further delayed while the law was submitted to repeal.

It was inevitable that obligation to vindicate the national mandate would be assailed by foes as a pretext to flex federal muscles, a gleeful chance to overawe legitimate political dissent. This theme was played upon in every stage of the repression, indeed so loudly as nearly to warrant the suspicion that the sorrows of the Western distillers were convenient propaganda for the Republican party. If sincerity was the issue, then democrats were inconsistent in taking arms against a law that had been passed by the general suffrage. The charge that Hamilton exaggerated the crisis in order to display federal military might belongs to all the accusations that he was disingenuous. In an ironic way this was a compliment—that he could be so resourceful in devising plans, so busy in their execution, and yet found time and ingenuity to supply to all a cunning, covert intent.

Evidence fails to support the insinuation. Hamilton knew that only experience could adapt terms and operation of the excise law to the abilities and needs of those affected. He secured successive adjustments to suit their convenience. He urged solemn remonstrance of the President, in a proclamation, and only when this had gone unheeded, and forbearance was inviting new infractions, did he press for coercion. Even then he provided every opportunity for obedience to declare itself before compulsion was applied. Further, President Washington fully agreed in the measures taken, and marched in command of the expedition against the insurgents; the same was true of the governors of the four states supplying militia—Virginia, Maryland, New Jersey, and Pennsylvania—including Mifflin who at first was reluctant. Response of the troops was prompt and willing, though the service was physically arduous and of a sort—suppression of domestic rebellion—not calculated to draw out enthusiasm in the citizen. Besides, the cost of the military expedition, some \$800,000, would not be sought by a

secretary of the Treasury undersupplied with funds at best. Lastly, the President was not content with restoring order, but reported to Congress his disapproval of the societies which he held responsible for fomenting the disobedience.

Nor was the concern of Hamilton, the President, and their coadjutors, or the means of policing which they employed premature. The same boldness in local dissent, prompted by peculiar conditions, produced subsequent flouting of national law. Only two other instances fall within the limits of Hamilton's lifetime, the minor Fries rebellion and the supposed cabal for a New England confederacy. But one ponders whether, had the Hartford Convention been more sternly frowned down, and Nullification been met with force, the catastrophe of the Civil War might have been averted.

In all of these cases save that of Fries, geography played the most significant role. This was particularly true of the Whiskey Insurrection. Madison and others had believed that our fated division was to be between North and South. Actually, the first cleavage was between East and West. The Allegheny Mountains formed a barrier, economic and political. In ordinary intercourse this obstacle was impassable by wheels. The dim remains of Braddock's and Forbes' roads were trod by packhorses till the Ohio was reached at Pittsburgh or Wheeling. Three hundred miles and a three-week journey made the difference between settled society and restless frontier, between a measure of interdependence to the eastward and self-sufficiency to the west. Only hardy individuals and families had chosen the wilderness. Harassment by the Indians further separated overmountain clearings from communities nearer the coast. The British yet held the border posts, which were so many nurseries of raids which the central government at distant Philadelphia had been unable to repel. Defeats of Harmar and St. Clair disgusted the Westerners before Wayne achieved a military victory which presaged the diplomatic exit of foreign garrisons from American soil. If the Westerners must do for themselves in goods and in protection, why not in government also? The gross commodities of that far region—hides, salt provisions, grain—could not be transported over the mountain trails, and the flatboat route down the rivers was patient, with perplexity of Spanish interference at the end of it. Westerners supplied them-

selves; where the individual household could not furnish all, barter served. For the trickle of Eastern wares that came in, whisky was sent out. A bulky granary could be distilled into kegs of spirits, and a horse could carry two of them to Lancaster or Reading and double the value of the stuff.¹⁹

The limitations of the Western settlers and the hardship of a national tax which had a special local incidence moved Hamilton to concessions. During the disturbances and afterward, his resentment was reserved for the leaders, men of education and responsibility who stirred ignorant followers, or yielded to pressure of the prejudiced and violent. In the Constitutional Convention he had feared that the people, turbulent and rash, would force their representatives into dangerous clamors. Here was his forecast exemplified. The fact that "democratical societies," inspired by Genêt and patronized by anti-Federalists like Madison, mixed politics with whisky and gunpowder did not improve the picture. Admittedly it was—and ever has been—hard for public men to oppose their enraged region. Findley and Smilie were in Congress; Brackenridge wished to be there; Gallatin had been in the state legislature. However, General Neville, Major Kirkpatrick, and others at the scene did brave the despotism of the mob, though at a cost. Hamilton, from his expressions and actions, would have had the Western leaders, in the very beginning, dissuade from contempt for law, and denounce bullying brutality. Instead, they helped inflame passions, or so long by their silence lent assent to violence that their later faint remonstrances had little effect. Hamilton blamed Brackenridge who wanted to have it both ways—give comfort to the mob and yet claim he was on the side of order. But Hamilton's particular censure was for Gallatin, who early had encouraged resistance not only to the policy of the tax but to its operation. In the resolves of the Pittsburgh meeting of August 21, 1792, damning the excise in principle and in enforcement, Hamilton clearly saw the hand of Gallatin, who served as secretary, and never forgave him. They had enough opportunities for difference in the years ahead, but something of Hamilton's original reproaches spoke in his latest criticisms of Gallatin's conduct of the Treasury.²⁰

The abuse directed at Hamilton as a conspicuous symbol of national power, the opprobrious names he was called—monocrat, panderer to a corrupt squadron of speculators—did nothing to

relax his resolve to vindicate the law. Threats did no more than slander. Civil war, he replied, was lamentable, but better than destruction of all government. However, forcible reproof of a defiant fraction was a disciplinary action, not civil war.²¹ It is difficult to assess motives. It may be that Hamilton considered if the central authority was to be maligned and affronted, it might use the coercion entrusted to it by the Constitution. He did conceive that the moment had arrived to assert the strength of the majority before faction ran the country into danger. At a conference of highest officers of the United States and Pennsylvania at the President's early in August, 1794, Hamilton "referred to the various co-operating sources of opposition to the Constitution and laws of the U.S., (The Judiciary, excise, Mississippi navigation, erecting a new State, &c., &c.,) and insisted upon the propriety of an immediate resort to Military force. He said . . . that now the crisis was arrived when it must be determined whether the Government can maintain itself. . . ."²² For the rest we may accept his own declared reasons for urging the punitive expedition: "The objects for which the Militia have been called forth are —1. To suppress the Combinations; 2. To cause the laws to be executed."²³

Accepting the subsidence of opposition and protestations of allegiance as the army advanced into the insurgent country, critics found what comfort they could in claiming that the military force of some 15,000 was extravagantly large. Indeed, there had been nothing smacking of armed rebellion. The President considered that between 12,000 and 13,000 militia were necessary, and that much of this force should come from three neighboring states since, by Governor Mifflin's admission, the militia of Pennsylvania, under the circumstances, was not equal to the task.²⁴ Afterward Edward Carrington, of Virginia, who was on the expedition, wrote Hamilton "our returned Troops pretty generally agree, that a less force than was called forth could have been opposed, and that a small army could have effected nothing but the establishment of a civil war."²⁵

Having set forth the need for military suppression of the insurrection, Hamilton promised the President a recital of the facts which led to the crisis. This long, circumstantial report required some days in the writing, and showed how Hamilton, though re-

strained from coercive measures, had painstakingly recorded every untoward event. His narrative furnishes the best background for the militia expedition into the rebellious counties.²⁶

The opposition commenced as soon as the law was passed, and continued to be especially vehement in Washington County. Negative means—abusing the law, discouraging compliance—soon took form in resolutions of meetings of malcontents, held in the summer of 1791. Revenue officers were to be treated with contempt, and the protestants went on to assail other measures of government besides the excise. In September at Pittsburgh delegates from the recalcitrant counties issued more vigorous anathemas against officers, promised obstruction to this tax and included censures of fiscal policies of Congress generally. Hamilton charged these meetings, composed of influential individuals, with the excesses soon committed; they were responsible for threatening the foundations of government.

Robert Johnson, collector for Alleghany and Washington, was waylaid by men armed and disguised, who cut off his hair, tarred and feathered him, took away his horse, and compelled him to walk a distance in this mortifying plight. The deputy marshal was afraid he might share the same fate if he served processes against perpetrators. He unfortunately shifted his duty to a poor man who did not understand his errand, and who was unhorsed, tarred, and tied for hours in the woods.²⁷ The collector for the other two counties was ill treated. A stranger named Wilson, “manifestly disordered in his intellects,” who imagined himself an inspector of stills, or something similar, was dragged from his bed to a blacksmith shop where he was stripped naked, burned with irons, tarred and feathered, and “dismissed . . . in a very suffering condition.” Another was tarred and feathered for criticizing antagonism to the law.

Government was not prepared to redress these outrages or to enforce the statute. Instead, the act was revised (May 8, 1792) further to accommodate it to needs of distillers. The rate of tax was reduced, and distillers paid on the capacity of their stills and only during the periods of operation. Hamilton did not cite his original part in moderating the excise, but it should be noted, along with his forbearance, as evidence of his eagerness to meet all reasonable objections.²⁸

Premises could not be hired for offices of inspection, for agents of the excise were effectually outlawed. This was particularly in response to hateful threats issued by a second Pittsburgh meeting (August, 1792). The theory as well as practice of the law was excoriated, and legal measures to obstruct operation of the law were promised. Hamilton picked up this unhappy phrase. He pointed out that it was perfectly legal to take steps to procure the repeal of a law, but that to obstruct its operation was criminal. Albert Gallatin was secretary of that meeting, and from what we know of his opposition to the excise, both in the Pennsylvania legislature and in Congress, he must have penned the description of the excise which so offended Hamilton. Gallatin himself later called his part in this meeting "my only political sin."²⁹

This contumacy led to the President's proclamation (prepared by Hamilton) of September 15, 1792, warning all from interfering with the law and exhorting good citizens to support officers in discharge of their duties. Compliance was facilitated by preventing, as far as possible, sale of whisky that had not paid the tax, and by buying spirits for the army directly from lawful distillers. This last furnished the money with which to pay the duty.³⁰

Good effects of these provisions spurred enemies of the excise to strike at enforcement by menacing officers and distillers who obeyed the law. A collector who was compelled at pistol point to resign his commission and distillers whose property was damaged were required to publish their punishment in the newspaper. More violence ensued. Congress answered by further amendments to the law in 1794 (June 5). Nobody moved for repeal, but instead complying quarters complained of competition from illegal distillers. However, when efforts at enforcement were resumed, the house of the inspector of the survey, General John Neville, was attacked on successive days by forces numbering first a hundred and then five hundred men. The second assault ended in burning all the buildings; the leader,³¹ McFarlane, a major of militia and former officer of the Pennsylvania line, was killed, and the few soldiers who had been called to the defense of the place were compelled to surrender, but the inspector made good his escape.³² Inspector and marshal, finding no security in Pittsburgh, fled to Philadelphia by a circuitous route.

Hamilton merely mentioned seizure of the United States mail on

the way eastward from Pittsburgh, and a call for a meeting of delegates from all of the Western counties in the middle of August at Parkinson's Ferry on Mingo Creek.

Next in sequence, but too late for Hamilton's chronicle, was the muster, August 1, of some thousands of militiamen from the Western counties on the field where Braddock fought. David Bradford, of Washington, made himself the general of this idle force. He flourished about on horseback, rousing intentions against the nearby log town of Pittsburgh. Intercepted letters showed that prominent citizens of that place condemned attacks on excisemen and would induce the government at Philadelphia to suppress the disorders. To block the march of riflemen, intoxicated with rye and resentment, Brackenridge and others visited the camp, assured the insurgents of their sympathy, but counseled moderation. On the second day they were successful in reducing the invasion in numbers and in violence; a barn was burned but the fort was not attacked. Pittsburgh held its breath until the last of the whisky boys were ferried across the Monongahela and set on their unsteady way homeward.³³ George Hammond, the British minister, reported to his government conspicuous events in the Whiskey Insurrection shortly before the expedition to suppress the disorders. "The avowed pretext for these discontents is a dislike of the excise law, but the real origin of them is unquestionably a rooted aversion to the federal constitution, and to all the measures emanating from it." He did not know what would be the course of the general government "in this emergency which is certainly the most serious and alarming that has yet arisen, since the establishment of the constitution."³⁴

Hamilton's purpose and decision were not better illustrated than in his dealings, for the national government, with the Pennsylvania authorities. Governor Mifflin in the beginning was temporizing and diffident, but Hamilton's real foil was Mifflin's alter ego, Alexander J. Dallas, secretary of the commonwealth. Mifflin had already fallen into the habits of heavy drinking which disabled him in later years, and this made Dallas not so much his adviser as his willing substitute. The President, at the executive conference early in August, had unintentionally put the national government temporarily at a disadvantage by begging that Mifflin would "adopt some preliminary measures under the State Laws," as the gen-

eral government must move off slowly. The President could do nothing effective unless Justice James Wilson certified that the civil authority was incompetent to enforcing laws of the United States.³⁵

Dallas was a leader in the parent Philadelphia Democratic Society which had fostered similar organizations elsewhere. Of some forty total, the two societies which figured particularly in the Western disturbances were those of Pittsburgh and Mingo Creek. Dallas, the flaming Democrat, thus called on to place the state at the service of the national power, found excuses. The mandate of the governor to employ the militia was only constructive, for the law to which Attorney-General Bradford pointed had been repealed. He must call the legislature into emergency session before he was instructed and empowered. Further, judicial process had not been fully tested in Pennsylvania, as Judge Addison had declared.³⁶

Hamilton, writing for Randolph, answered these doubts and evasions point by point. This precise rebuttal made Dallas appear vague and shifty. The fact was that at this time Dallas was making a plea in avoidance, was negative. Hamilton was for forthright, thorough action. It would not be sufficient, he showed, merely to disperse the insurgents, as Dallas had urged. The object of calling out the militia was to see the laws executed, which in this case meant peaceable collection of the revenue and punishment of infractions.³⁷ This anticipated the policy of seizing some of the accused for trial and punishment, and leaving a competent force in the Western country until civil process was restored.

Undoubtedly in these exchanges, seeking support of the state for the national authority, Hamilton was mindful of his experience a decade earlier. Then, deputed by Congress, which was threatened by mutinous troops, he had been unable to get protection from Pennsylvania, and it was necessary to adjourn Congress to Princeton. In the present instance the outcome was more gratifying. Governor Mifflin, no longer questioning that coercion must be applied, exhorted the legislature.³⁸ He remonstrated with Harmar, adjutant general of his militia, when told that units were unwilling to respond and in some cases officers could not enforce the call.³⁹ He immediately arranged a personal tour of the eastern and middle counties in which he met with the officers of the militia. His

oratory was effective, drew the acknowledgment of Washington when he reviewed the troops at Carlisle, and afterward the compliments of Congress.⁴⁰

As for Dallas, he went in the expedition as paymaster for Pennsylvania militia, and with every westward step he increased his blame of the insurgents. "Nothing but fear and coercion . . . will ensure their submission," he declared. Though he considered that Gallatin, Findley, and Smilie, so recently his allies, would escape the law, they were "inconceivably obnoxious as the original perpetrators of the doctrines which have eventually produced these violences."⁴¹ The conversion of Mifflin and Dallas is sufficient answer to newspaper and less anonymous croakers who continued to say that Hamilton had improved the occasion to aggrandize the national government.

We may follow Hamilton on the march against the Western insurgents. On September 19, 1794, he wrote the President that he thought he ought to share in the danger into which he was bringing his fellow citizens. By the end of the month Knox would return to take over the War Department, and the Treasury would be in competent hands.⁴²

A year later Hamilton denied the imputation of Fauchet and Randolph that he had asked to accompany Washington on the Western expedition. He requested permission to go, but that was before the President concluded to head the march. He wanted to protect the revenue and, he afterward confided, he had doubts of Mifflin's loyalty to the undertaking.⁴³ Hamilton had been out of health, and no wonder, with two departments to administer and both of them called into special activity in preparation for military enforcement of the excise law.⁴⁴ September 28 he was writing his last instructions for procurement of supplies to meet the militia on their march, and directed that future correspondence should be with Tench Coxe.⁴⁵ Hamilton must have set out at once, for the same day Wolcott wrote for him to the Bank of New York requesting an emergency loan partly for expenses of the punitive force.⁴⁶

Hamilton accompanied the President when they arrived at Carlisle October 4 and shared in the reception. Conducted by Philadelphia horse and the governors of Pennsylvania and New Jersey, they found at the camp three thousand citizen soldiers as remarkable for the variety of their fortunes as for the uniformity of their

loyalty.⁴⁷ Here he was frequently in attendance on Washington, besides being occupied with every sort of business for the expedition.⁴⁸ He wrote to Mifflin for Washington, expressing the President's deep regret that two men had lost their lives by accidents which the army should guard against in future.⁴⁹ Now and at other times he impressed the duty of those who came out to enforce the laws not to offend against them.

Hamilton took active part in two long interviews with the President of Western delegates who vainly hoped to halt the troops at Carlisle. William Findley and David Reddick had posted across the mountains from a much chastened meeting at Parkinson's Ferry October 2. They were instructed to represent that the region was determined to support the laws, required no troops to compel obedience. Not all had signed their submissions, but this really did not argue opposition. The ambassadors from the insurgents were particularly questioned by Secretary Hamilton to discover whether distillers along the Monongahela would conform to the law and whether offices of inspection could be opened. Their answers could not have been persuasive, since one of their witnesses to the spirit of compliance was Judge Alexander Addison; Hamilton had described him two months before as "among those who had most promoted the opposition in an insidious manner."⁵⁰ Another, who was quoted as offering his house for an office of the excise, made many conditions, as Hamilton's probing questions revealed.

The President, treating the delegates with respect but firmness, declined to call off the march. We may be sure that Hamilton bore his part in Washington's refusal to empower the deputies, when they returned to the West, to arrest in the name of the national government.⁵¹

Findley thought he was expressing the common view when he said that Hamilton "gave the supreme direction to the measures that were pursued" in suppressing the disturbances. Much of his "paramount influence" was used for the efficiency of arrangements and comfort of the men, though this critic was sure the secretary went beyond his proper function in accusing and arresting suspects. At any rate "While the President was with the different wings of the army, the secretary accompanied him, and appeared to act as his official secretary."⁵²

Hamilton went with the President from Carlisle, Pennsylvania, to Williamsport and Cumberland, Maryland, to visit the southern wing of the army, and thence back to the northern wing at Bedford, Pennsylvania. From Bedford the President returned to Philadelphia to meet Congress, leaving the army to the command of Governor Henry Lee of Virginia, whose instructions Hamilton drew.⁵³ The secretary continued westward with the militia to Washington and Pittsburgh, a march of four weeks, for he did not begin his return journey until November 19.⁵⁴ From the camps he kept Washington informed of all developments, as accurately as had the President remained on the scene.⁵⁵ The stops were at tiny settlements in the valleys, or at places designated simply by the name of the nearest resident—Berlin, Jones' Mill, Cherry's Mill, Roshaven Township.⁵⁶ Washington, on his road back to the capital, sent Hamilton some orders to be executed. The army already advanced was more than competent to any opposition, so ill-equipped units coming up should be turned back with permission of Governors Mifflin and Howell of New Jersey. Hamilton was to open public letters for Washington, turning over the military ones to the commanding general.⁵⁷ Shortly after leaving Bedford, Hamilton wrote that Congress should authorize the raising of 500 infantry and 100 horse "to be stationed in the disaffected country. Without this, the expense incurred will be essentially fruitless." As the best objects of punishment would doubtless fly, "they ought to be compelled by outlawry to abandon their property, homes, and the United States. This business must not be skinned over. The political putrefaction of Pennsylvania is greater than I had any idea of. Without rigor everywhere, our tranquillity is likely to be of very short duration, and the next storm will be infinitely worse than the present one."⁵⁸

Hamilton always intended that those responsible for violence and defiance of government in the Western country, and who had not claimed the amnesty, should be brought to law. For this purpose Richard Peters, the district judge, and William Rawle, the district attorney, accompanied the army.⁵⁹ This was the most ungrateful part of Hamilton's task. The visible opposition having melted before the advancing troops, the seizure of individuals in a quiet district was easily represented as harsh or vindictive. Some of the principal offenders would escape. David Bradford, of

Washington, the most bellicose of rebels and the self-styled general at Braddock's Field, fled to Louisiana.⁶⁰ Gallatin, who had an original part in urging that the excise be brought into contempt, was judged by the Attorney General of the United States not to have committed an indictable offense. Brackenridge, who was even more conspicuous, and was described by Hamilton as "the worst of all scoundrels,"⁶¹ had been used by the commissioners, and so purchased immunity. Some other leaders, among the more sophisticated, would claim that while pretending to sympathize with the insurgents, attending their meetings, and so on, they were constantly using their influence to prevent violence. This was the plea of Brackenridge and of John Hamilton, colonel of a regiment of militia in the Mingo Creek settlement and sheriff of Washington County. The latter, it was said, tried to dissuade Bradford from the rendezvous at Braddock's, but, when this effort failed, went there at the head of his troops, resolved to prevent outrages. These men wanted to have it both ways—placate the insurgents and yet, later on, stand well with government.

The smaller fry, who would be netted, would be objects of sympathy for their ignorance and poverty. Further, rigorous punishment would be decried, since the revolt had been put down without loss of blood.

Such reflections did not dissuade Hamilton from prompt action. As soon as General Morgan, with the light troops, crossed into Washington County, which held "the most disaffected scenes," preparations were made for the military to seize suspects and then deliver them for disposition of the judiciary. Time did not allow "for preliminary investigations to apprehend the guilty upon process."⁶² This was justified on the principle that every man may arrest a traitor, but it was a trespass upon civil procedure.

Four days later "the measures for apprehending persons and seizing stills" were to be carried into effect. Hamilton wrote Washington: "I hope there will be found characters fit for examples, and who can be made so." Sheriff Hamilton of Washington had surrendered himself, though it was not certain how much could be proved against him.⁶³

Hamilton declared that "all possible means are using to obtain evidence, and accomplices will be turned against the others."⁶⁴ Findley was indignant because the secretary used threats in inter-

rogating suspects and witnesses, and offered particulars of this presumptuous conduct, but Findley had all at secondhand.⁶⁵ Brackenridge described his own examination by Hamilton; while he as a lawyer could protect his rights, he was sure that such bullying put the ignorant and fearful at a grave disadvantage.⁶⁶

Hamilton had been busy with the roundup of supposed insurgents when he wrote to the President from the town of Washington, November 15, 1794, that twenty were in confinement there. He mentioned a half-dozen "most conspicuous . . . for character or crime."⁶⁷ Two days later he had arrived at Pittsburgh with the judiciary. The list of prisoners had increased to 150. General Lee had been informed from Marietta that John Holcroft, the reputed "Tom the Tinker," had been seized seeking to escape down the river.⁶⁸

In the meantime President Washington, though he had departed the scene, was zealous for catching the rascals who had been responsible for causing so much expense and trouble. He wrote to Hamilton from Wright's Ferry on the Susquehanna, "I hope you will be enabled by *Hook* or by *Crook*, to send B——[radford] and H——[usbands] together with a certain M^r Guthrie, to Philadelphia for their winter Quarters."⁶⁹ Five days later he remarked with satisfaction that Husbands and others were safely lodged in Philadelphia.⁷⁰

In the midst of examining prisoners and witnesses Hamilton was preparing collection machinery for the future. He instructed the supervisor of the revenue that an office of inspection was to be opened in each county. In some there had been none, which raised legal difficulties in securing arrears of the tax. It would be best to collect only for the year ending the past July. Charge those who did not register according to the capacity of the still. "The supply of the Western army enables us to accommodate" to the lack of cash, for whisky would be accepted at 3s. 4d. Pennsylvania currency per gallon and receipts of the army purchasing agent would be taken at the Treasury.⁷¹

Also, Hamilton had prompted General Lee to map out home-ward routes of the troops, so their provisions and pay could be provided ahead. Some arms could be deposited at Pittsburgh, but "I would add . . . that it would scarcely appear advisable to leave any considerable number of Artillery in so disaffected a

Country.”⁷² Had the secretary got up the march into the West for effect he would not have been worrying about leaving cannon in the insurgent country. November 19 Hamilton notified President Washington by a hasty line from Pittsburgh that the army was in motion homeward, and that he would himself set out in five minutes.⁷³ Perhaps Hamilton did not receive at all or got at some point on the homeward road a letter from Knox that would have distressed him. Mrs. Hamilton’s “earnest desire” for his return was because “she has had, or has been in danger of a miscarriage, which has much alarmed her,” though her doctors assured that she is in no danger. Knox wrote at the President’s request.⁷⁴ It was a miscarriage, for she did not have another child born until 1797. Her father may or may not have known of her illness when, Dec. 2, he condoled with her that her husband must be so long absent. However, Hamilton would return in health “and as usual triumph over his ungenerous enemies.”⁷⁵

Evidently the arrests, understood to have been directed by Hamilton, were thought to have put him in personal danger on his return through the country recently in insurrection, for he was escorted by a detachment of six horsemen the hundred miles from Pittsburgh to Bedford and somewhat beyond.⁷⁶

Hamilton reached Philadelphia by December 1, 1794. On that day he notified the President that he would resign his office on the last of January.⁷⁷ At the same time he informed the Speaker of the House of his decision so that any further inquiry into the state of his department might be commenced if such was contemplated.⁷⁸

President Washington, from the rendezvous at Carlisle, commissioned Randolph, Secretary of State, to prepare the draft of the speech he would present to the coming meeting of Congress. The bustle of a militia camp would not permit him to do more than edit paragraphs supplied to him.⁷⁹ He urged on Randolph only one topic, reproof of “these self created societies” which threatened to “destroy the government of this Country.” This sedulous distaste had been a theme with Washington for the year past.⁸⁰ He was exasperated by the endeavor of the leaders of these societies “to destroy all confidence in the Administration, by arraigining all its acts. . . .”⁸¹ Genêt had instituted the parent body in Philadelphia “for the express purpose of dissension,” and the Whiskey Insur-

rection was the "first *ripe fruit* of the Democratic Societies." What he encountered in penetrating the Western country deepened his desire to discredit these plaguy critics.

To forestall misinterpretations of the rebellion and its finish he was "more prolix" than ordinarily in his speech to Congress. The detail of the commencement and progress of the rising was from Hamilton's record of events which touched off the expedition. But he repeated condemnation of "certain self-created societies" which "fomented" the insurrection and "disseminated . . . suspicions, jealousies, and accusations, of the whole Government."⁸²

The two-to-one Federalist majority in the Senate had no difficulty in echoing these sentiments with added resonance, swiftly dismissing the attempt of Burr and Jackson to foil the stigma.⁸³ Not so the House, where dissenters from the President's censure evenly balances supporters. Debate on the reply concerning democratic societies consumed the better part of a week. A few thought the time wasted. Others entered zestfully into the dispute. Parties had already taken form, but this contest firmed the ranks of both sides. Now, as not before, political blood had been drawn in the Western counties. If success of the central government in suppressing physical violence was to extend to freedom of speech and assemblage, what was to be the fate of our constitutional system? Jay's mission to Britain drew strong objection; in the discussion one could sense anxiety for means of opposition in future.

The President's "public odium" upon the societies was attacked from many angles. Several declared that he was factually mistaken, that the societies had not fomented the disturbances. This was proved by the only paper on the table "that brings any evidence on the subject," Hamilton's letter, which reported that the seeds of insurrection were planted by the excise law, which was before the societies were established.⁸⁴ This was set right by Scott, from Washington County, Pennsylvania, the very center of the insurrection. He rose at the same moment as Ames, and the nimble-witted Massachusetts man instantly yielded. Scott's knowledge was indisputable. "He knew that . . . self-created societies in that part of the country . . . had inflamed the insurrection; for some of the leaders of those societies had likewise been the leaders of the riots." He could not with all his personal experience give "a more candid and accurate account" of the rebellion "than that

of the President and Mr. Hamilton." The deluded people of the Western region were "objects of real pity. They were . . . grossly ignorant, and they had been persuaded, by . . . utmost diligence . . . that the American Government was . . . the very worst in the world. . . . when people had got their length in absurdity, it was not difficult to make them fight against such a Government."⁸⁵ The whole discussion was a preview of what came on later in the Alien and Sedition Acts and the Virginia and Kentucky resolutions and, a hundred and fifty years later, the controversy and court cases over supposed communist subversion.

Tracy of Connecticut shied a simile at McDowell of North Carolina that echoed through later speeches. ". . . if the President had not spoken of the matter," Tracy "should have been willing to let it alone, because whenever a subject of that kind was touched . . . certain gentlemen . . . shook their backs, like a sore-backed horse, and cried out The Liberties of the people!" Of course, McDowell sprang up to retort "that he believed his back to have been rubbed harder in the last war, than that of" his critic.⁸⁶

As soon as Hamilton returned to Philadelphia, learning the turn of debate, in which "self created" societies had been excused from the scolding,⁸⁷ he hastened to FitzSimmons' home "to state some facts." True, "opposition to the excise laws began from causes foreign to Democratic Societies, but it is well ascertained . . . that the insurrection immediately is to be essentially attributed to one" of them, the Mingo-Creek Society. Members of it commanded the attacks on Neville's house. Hamilton should not be named as the source of this information, but FitzSimmons should make use of it.⁸⁸

Congress was indubitably "drawn into the tenter-hooks of party," for votes on significant phrases were exactly balanced or tipped by one or two members. In the end, to the surprise of the Federalists, it was Nicholas of Virginia who came forward with a compromise that upheld the President without too pointed verbal punishment of the democratic clubs outside the Western scene.⁸⁹

The correspondence of Jefferson and Madison shows their chagrin at the military, political, and moral victory of the administration accomplished in downing the Western rebellion. Madison relayed tales that the returning militia would favor a standing army to enforce the laws. Jefferson minimized the misdeeds of the

democratic societies and assailed their denunciation by "the faction of monocrats. It is wonderful indeed, that the President should have permitted himself to be the organ of such an attack on the freedom of discussion, the freedom of writing, printing and publishing. . . ." The "*infernal*" excise would yet be "the instrument of dismembering the Union."⁹⁰ Ames, who took prominent part in the debates, was as suspicious on the other side. "The private history" was "that the faction in the House fomented the discontents without; that the clubs are everywhere the echoes of the faction in Congress; that the Speaker [Muhlenberg] is a member of the democratic club" and took pains in a casting vote to save his personal reputation. Madison and Parker were honorary members of such societies.⁹¹

Hamilton drafted the President's proclamation, January 1, 1795, for a day of thanksgiving February 19. While addressed to heaven, it was politically inspired. God was besought to preserve us "from the wantonness of prosperity[,] from jeopardizing the advantages we enjoy, by culpable and delusive projects. . . ." The Almighty was praised "for the preservation of our peace *foreign and domestic*, for the seasonable check which has been given to a spirit of disorder in the suppression of the late Insurrection. . . ."⁹²

A sequel of the Whiskey Insurrection was the resignation, nine months later, of Edmund Randolph, the Secretary of State, under suspicion of having solicited a bribe from the French minister Fauchet. The documents in the case mirror the contest between British and French partisans in the country and the Cabinet. With some distortion, they reveal the Whiskey rising as an episode in a larger and deeper drama. On August 19, 1795, Randolph was reporting to the President's house at the usual hour of nine when he was notified by messenger to delay his visit. On arrival he found that Wolcott and Pickering had been in consultation with the President, and Washington without preface confronted Randolph with a letter of Fauchet to his government which had been intercepted, sent by Grenville to Hammond, and by Hammond given to Wolcott. The letter declared that Randolph, in private talks with the French envoy, had vowed himself the friend of France and suggested loans to individuals who would expose efforts of the British to foment rebellion on the Western frontier. Randolph, with too

little time to examine the paper, could only protest there and then that he "never made an improper communication to Mr. Fauchet."

Affronted by Washington's peremptory demand, Randolph too hastily resigned the same day. Learning that Fauchet's sailing from Newport was delayed, Randolph posted thither for an explanation that would disabuse the President's mind of suspicion. We need not recount Randolph's frustrations owing to the unexpectedly sudden departure of Fauchet. At length he received, via Fauchet's successor, Adet, a certificate and missing documents which cleared him of any criminal conduct or intent. He confided too much in Fauchet, and claimed an ascendancy over the President which lost nothing in the Frenchman's retelling.

Randolph was the injured party, as his published *Vindication* showed. Washington had been precipitate, Pickering and Wolcott offensive. Washington reserved one of his rages for the appearance of Randolph's self-defense, but he would have done better to be admonished of his own fault than to excoriate Randolph for ingratitude.⁹³

Hamilton believed Randolph guilty of trying to improve pro-French antipathy to the excise to his own pecuniary advantage. He read Fauchet's intercepted letter, and wrote Washington, "with regret, but without much surprise—for I never had confidence in Mr. Randolph, and I thought there were very suspicious appearances about him on the occasion to which the letter particularly refers." The letter should be published entire.⁹⁴ He took pains to secure an authentic copy, and Pickering, Secretary of State, sent it together with his own translation which he hoped Hamilton would correct.⁹⁵

Washington wrote Hamilton resentfully of Randolph's "long promised vindication, or rather accusation," and asked what notice should be taken of it.⁹⁶ Hamilton replied that he considered the pamphlet a confession of guilt; it did not need to be answered, for it contained its own antidote.⁹⁷

While Randolph antagonized Hamilton's rôle as leader of the faction that (with some inconsistency) would make Washington a monarch and then enslave America to England, he left no doubt that the insurrection in the West threatened civil war and demanded all of fifteen-thousand troops to put it down.⁹⁸ As Fauchet in effect agreed, the democratic societies were the organ-

ized American Jacobins. "Mr. Hamilton has made of a whole nation a stock-jobbing, speculating, selfish people."⁹⁹ Suppose the rising in the West had not come along to explode the popular and confirm the moneyed cause, we may wonder whether Jefferson might have come to power in 1797 instead of 1801, been elected President instead of Vice President? The insurrection having been suppressed, the lucky capture of Fauchet's letter was a spur to ratification of the Jay treaty. Randolph, had he remained Secretary of State, would have opposed the threatened rupture with France, but Fauchet's supposed disclosures drove Randolph from office. Washington was impelled, Randolph charged, by his first impressions of Fauchet's revelations to sign the treaty, though the British provision order had not been repealed. Lastly, the confidences of Fauchet to his government were clutched at by the Federalists "to endeavour to destroy the republicans."¹⁰⁰

As much may be surmised on the other side. Had the Republicans come in sooner, they might have involved us in war with Britain, and invited New England secession. Not fearing Napoleon, we might not have acquired Louisiana. The reaction from a French alliance might have been a resumption of the Federalist program such as actually followed the War of 1812. Dallas rather than Gallatin might have become Jefferson's Secretary of the Treasury. Perhaps the popular party did better by delay of its advent.



Promoter of Jay's Treaty

THE Jay treaty (finally ratified October, 1795) was peculiarly Hamilton's doing. He proposed it, to avert war and preserve the chief source of public revenue, import duties. He excluded himself from appointment as the envoy to Britain, chose John Jay for the mission, and drew Jay's instructions. At every point in the negotiations, both with the foreign court and with our own Congress, he was President Washington's adviser. He was the principal defender of the treaty before the country, and without his exertions in its behalf it would have been lost. Jay's treaty continued Federalist dominance in national councils for another half-decade. More importantly, it conferred peace (if we neglect the undeclared naval war with France, 1798-1800) until our institutions had matured and our strength had increased. The peace Hamilton helped to purchase outlived him by eight years.

Jay's treaty liquidated the Revolutionary War a dozen years after the end of hostilities. Britain surrendered the frontier military posts and agreed to fix disputed Western boundaries, thereby opening our way to territorial expansion. Differences that had divided America, if not settled, were arrested. A further period of material and political preparation for nationhood was vouchsafed. The treaty determined our foreign policy, in the largest sense, into the far future. America would consult its own interests, become the ally of no foreign power. This meant abandonment of the senti-

mental, emotional attitude toward France. Hamilton's realistic interpretation of our obligations to revolutionary France was assisted by the presumptuous behavior of Genêt, the declaration of our neutrality, and the excesses of the Terror in Paris. Still, persuasion was needed to checkmate uncalculating American ardor for a supposed French ideal. By the time the democratic (Republican) party obtained power under Jefferson in 1801, it was tempered as compared with its impetuous state at the critical moment of the presentation of Jay's treaty. In fact, in important respects Jefferson's party perpetuated Federalist policies domestic and foreign.

Only Hamilton could have engineered the success of the treaty. He had the imagination to envisage the threat of war, the political leadership to summon opposition. He knew as no one else the facts of our foreign commerce; his bias against French ambitions was the strongest of any national figure. His command of international law was superior. Only he was skillful enough, in pleading with the people, to erect a compromise into a binding public commitment. He had been the advocate of unpopular causes before, notably the Constitution of the United States. In that case, fighting off state attachments, he appealed to national loyalty. But in the instance of Jay's treaty national pride seemed to lie with his opponents. Perception and ingenuity were required to display apparent yielding as substantial victory. This was the merit of the *Camillus* papers which helped win the day for the treaty.

A diary, or sequence of events, showing how principal Federalists, in the spring of 1794, produced Jay's mission to England, is in the Hamilton papers.¹ It begins with March 10, when the British order of November 6, 1793, had resulted in capture of more than two hundred American vessels in the West Indies, over half of which were condemned. Eastern and Middle States were alarmingly irritated. Ellsworth, Cabot, Strong met at "my room" (King's, in Philadelphia) "to confer on the course most advisable to pursue." Ellsworth should next day urge on the President that these aggressions threatened war "unless some system calculated to calm the public mind . . . was speedily adopted." The country should be put in a posture of defense, necessary internal taxes should be devised, and "an Envoy extraordinary should be . . . sent to England to require satisfaction for the loss of our Property, and to

adjust those points which menaced a War between the two Countries."

Such an appointee should possess "talents of the first order, enjoying the Confidence of the friends of Peace, and of the Government, and whose character was unexceptionable in England." Colonel Hamilton's qualifications "afforded a very commanding preference."² On March 12 Ellsworth executed his errand. The President was impressed but doubted whether Hamilton had "the general confidence of the Country," though the President was sure of him. In the following four weeks this group drew in Robert Morris' help; Congress enacted an embargo for thirty days; British instructions of January 8 revoking those of the previous November were received. On April 7 King visited Hammond, the British minister, who was pleased to have a caller, as others had forborne. Hammond agreed that differences between the countries, held over from the Revolution, were of small importance, except that we wanted the frontier posts. If he could go home he could effect a settlement of all points. However, he had written Lord Grenville that Jay, Hamilton, or King would probably come as American envoy.

Next day the President asked the advice of Robert Morris, saying he had in mind John Adams, Hamilton, Jay, or Jefferson. Morris ruled out the first and last, expressed his preference for Hamilton. April 12 Jay came to Philadelphia on circuit. King informed that either he or Hamilton must be the envoy; Hamilton knew more of administration policy and of details of commerce, but for "weight of Character abroad, as well as at home," Jay's appointment might be more advantageous, and Hamilton was essential in the Treasury.³ Jay would be pleased were Hamilton chosen for the mission.

Every effort was making through Randolph, Secretary of State, to prevent Hamilton being named. Hamilton taxed Randolph with the suspicion that Fauchet, the minister of France, opposed him, but Randolph would not be specific. Monroe wrote the President opposing nomination of Hamilton as envoy because "injurious to the publick interest, but also especially to your own."⁴ Washington did not respond to Monroe's suggestion of an interview, but wished in writing any information that would disqualify Hamilton for the mission. Under April 14 the memorandum noted that Hamilton abandoned the idea of the envoyship for him-

self and wrote to the President in behalf of Jay. This was merely the conclusion of a long letter which Hamilton volunteered on the dangerous crisis.⁵ It was this sort of informed, public-spirited advice which Washington knew how to value. Hamilton discerned three parties in this country—one wanting preparation for defense while negotiations were pursued with Britain in good faith; a second wanting to provoke war; a third bent on stirring and maintaining animosity, but fatuously hoping this could be without precipitating military conflict. The two last groups desired revenge on the hated enemy, Britain, while serving the favorite friend, France, held to be the champion of Liberty.⁶ But most of the United States opposed war, unless at the ultimate sacrifice of honor and interest.⁷ War, if it happened, might swing us to French principles of anarchy.

Fortunately, all ostensibly agreed that “one more experiment of negotiation ought to precede actual war” But some would foredoom the effort by reprisals and coercions—cutting off intercourse with Britain, sequestration of debts—which would forbid mutual agreement. We must not undertake to hold a rod over the British, for we were “as yet, if a Hercules, a Hercules in the cradle.”⁸ Severance of commerce with the British, such as seemed to be meditated by the majority in the House, promised to sacrifice a customs revenue which we could not otherwise supply. This would “bring the Treasury to an absolute stoppage of payment—an event which would cut up credit by the roots.”

The President must divert the House by a constructive plan. Send an envoy to Britain to seek agreement on fair terms, and at the same time prepare for war while abstaining from provocative commercial retaliations. Hamilton would not have written so had he not been resolved to eliminate himself from among those whom the President thought of dispatching on this critical errand. “I am not unapprised of what has been the bias of your opinion on the subject.” (His friends, Ellsworth, King, and the rest, had reported to him.) “I am well aware of the collateral obstacles which exist; and I assure you in the utmost sincerity that I shall be completely . . . satisfied with the election of another.” Jay was the man most advisable to send.⁹

Those inclined to view Alexander Hamilton as egotistical, aggressive, uncompromising would do well to recall this instance of

willing resignation to the claims of a friend. Hamilton had long since discerned need for the mission; he might have proved the best negotiator of a treaty, certainly avoiding the error, or oversight, of the article which the Senate rejected. The instrument, necessarily the product of give and take, could hardly have received a more hostile reception in this country had Hamilton been our minister than was given to the work of Jay. In any event, it was Hamilton who in the end became the chief and successful advocate of the treaty's acceptance. He doubtless felt that Jay's character as a judge was more propitiatory than his as the active leader of a political party. Also, Congress and the tides of public opinion in this country as pulled by events in Europe must be watched by someone on the domestic scene. Opposition to the excise in Western Pennsylvania was to be firmly met before he could return from an embassy to England. Whatever his reasoning, he determined to forego an assignment which he regarded as of first importance to the country's present and future welfare.

Hamilton forthwith joined with King, Strong, Cabot, and Ellsworth in an appeal to Jay to discharge his manifest duty. The anti-British party strove to frustrate the objects of the mission, as the Federalists saw it, by putting forward as the envoy Madison, Jefferson, Monroe, or Butler. Gunn and Jackson were solicited as instruments of this obstruction, but they refused.

On April 16 the President nominated Jay. Next day in the Senate the opposition spoke. Monroe said Jay when Secretary for Foreign Affairs "held opinions . . . against the interest and just claims of this Country," was too yielding to claims of Spain, would have treated with Gardoqui "to forbear the use of the River for 25 or 30 years." Taylor declared the appointment would destroy independence of the judiciary. Burr discovered the same misgiving, and wanted to use our resident minister, Pinckney, for the negotiation.¹⁰ Jay was approved, 18-8.

Hamilton, Ellsworth, Cabot, King discussed with Jay terms of the envoyship. If inexecution of the treaty should not be adjusted, it was agreed that strenuous efforts should be made to obtain satisfaction for spoliations on our commerce and to establish rules for the future. However, if the British would fulfill the old treaty and compensate for our vessels, we might pay the debts up to half a million sterling. Other main heads were treated—posts, Indian

trade, navigation of lakes, commercial privileges, especially concerning the West Indies.¹¹

Hamilton, in different connections, proposed directions for Jay on his mission. He furnished a memorandum to the President at his request,¹² gave the Secretary of State an opinion pertinent to the coming negotiations,¹³ wrote part of the official instructions,¹⁴ and sent Jay off with further friendly admonitions.¹⁵ His scheme of American representations coincided with decisions in the Federalist caucus, though Hamilton's particulars go beyond that record. If one reads these papers, the influence of Hamilton on the final instructions¹⁶ is evident. The general object was "to repel war, for which we are not disposed," but "to assert, with dignity and firmness, our rights, and our title to reparation for past injuries." Debts due British subjects were to be decided in our courts. Compliance with the treaty of peace was required on grounds distinct from satisfaction for spoliations.

The clauses covering our commerce with the British West and East Indies were exactly Hamilton's. Both countries could trade with Indians across the frontier,¹⁷ but no arms should be furnished the Indians when at war. No troops were to be kept on the Great Lakes. Our commodities and manufactures should be admitted to the British European dominions on an equal footing with those of other foreign nations.

However, there were features of Jay's instructions in which Hamilton did not agree. They were more in the spirit of maximum demands than he, realistically, stipulated. The instructions considered provisions not contraband, unless bound for a blockaded port, but Hamilton would allow them to be seized if bound for the enemy, on condition they were paid for, with proper charges. Hamilton would make other concessions. He did not contend that free ships make free goods. Randolph was milder than Hamilton concerning our liability for sale of French prizes in our ports. Hamilton was directly opposed to the instructions where they urged that Jay sound the ministers of Denmark, Sweden, and Russia with a view to an alliance in the Armed Neutrality. This had long been his attitude, and he expressed it decisively to Randolph two months later: "Denmark and Sweden are too weak and too remote to render a cooperation useful; and the entanglements of a treaty with them might be found very inconvenient.

The United States had better stand upon their own ground."¹⁸ Nor did Hamilton include soliciting Britain to call off depredations of the Algerines on our Mediterranean commerce.

Hamilton's moderation in American pretensions, his awareness of the arguments that Grenville would bring, did not need to be informed by reports of Jay's actual experience in the negotiations.¹⁹ However, having those, he changed at least one of his positions and fortified his later justifications of the treaty addressed to the President and to the country. We may not say how much of *Camillus* was prescience and how much was taught by the event. Undoubtedly the British side as conveyed by Jay to Randolph in letters from London, and afterward to Hamilton in conversations, supplied vivid detail.²⁰

Hamilton's admired friend William Bradford, the attorney general, wrote him on a budget of matters July 2, 1795. Since Jay had been taken for governor of New York, ought not Hamilton to find another chief justice? "I am afraid that department," Bradford reflected, "as it relates neither to War, finance nor negotiation, has no charms for you: and yet when one considers how important it is, where [the justices] have the power of paralyzing the measures of the government by declaring a law unconstitutional, it is not to be trusted to men who are to be scared by popular clamor. . . . I wish to heaven you would permit me to name you:—If not, what think you of Mr. Randolph?" Here was an early explicit declaration of the power of judicial review, a number of years before *Marbury vs. Madison*. Though Hamilton, as Bradford divined, was not attracted to the place of chief justice the student of his career and of American history may wish that he had taken the post. Who else so likely to interpret the Constitution to give scope to the central authority? In the rôle of chief justice, far more placid than that of legal practitioner and political leader which Hamilton pursued, he would doubtless have lived much longer, and yet yielded the robe to Marshall betimes.

As it was, his arduous efforts for Federalism, through propaganda and political means, soon met party defeat, and in the remaining few years, reduced to be a critic of the Republican administration, his influence was slight. Had he been translated to the highest bench, out of the hurly-burly of politics, there would have been no duel. Hamilton's service as inspector general for two years, when

he prepared for war against France, was as misplaced as it was demanding. His quarrel with John Adams was a worse mistake. In short, he might have done far better, for himself and the country, to embrace Bradford's proposal. From all we know of Washington's relation to Hamilton, the President would undoubtedly have nominated on Bradford's motion, and the Senate would have confirmed him. No notion of partisanship would have prevented. Jay remained chief justice while he negotiated a treaty which was Federalist-inspired. Ellsworth, who took his place at the head of the highest tribunal was known as a strong party man.

But Bradford persisted. If Hamilton had renounced all but law practice, would he join Bradford as special counsel in defense of the carriage tax? He should make his debut in the Supreme Court, if not as chief justice, then as advocate.²¹ In final salute Bradford said truly that however Hamilton meant to reserve himself for his clients, "it is vain to kick against the pricks. You were made for a Statesman, & politics will never be out of your head."²²

As though in instant proof of this, Hamilton responded eagerly to a request of Washington for his analysis of Jay's treaty. The President would "have the favorable, and unfavorable side of *each* article stated, and compared together," and then be offered a recommendation "on which side the balance is to be found." Washington declared his confidence in Hamilton as a knowledgeable and dispassionate judge. The President realized that he was asking much, perhaps more than Hamilton's occupations would permit him to perform.²³ When Washington received Hamilton's elaborate reply, dated less than a week after the request, he apologized for having trespassed so far on his friend's time and energy.²⁴ It was characteristic of Hamilton to be lavish in his assistance. He was particularly thorough in this instance because the fate of the treaty and consequently the course of the country in the next years, hung on Washington's decision, which it was plain had not been reached. More than a week after getting Hamilton's reasoning, the President wrote to Randolph, Secretary of State, "My opinion respecting the treaty, is the same now that it was: namely not favorable to it, but that it is better to ratify it . . . than to suffer matters to remain as they are, unsettled."²⁵

It was fortunate that Hamilton's first extended explanation of the treaty took this pro-and-con form, for his later longer perform-

ance was modeled on this detailed memorandum for Washington and profited by the effort to present grounds of objection as well as approval. One who does not wish to read *Camillus* may know Hamilton's slant from this shorter examination. Throughout, in spite of counterarguments, he was unmistakably for ratification. However, though he feared delay, he advised the President, in opposition to the opinions of the Cabinet, that if Britain agreed to suspension of the twelfth article (governing our trade with the British West Indies), the treaty must go back to the Senate for final consent. Here Hamilton was on the side of the minority in the Senate.²⁶ Washington was disturbed that Hamilton was at variance with the others, but, on the eve of leaving for a stay at Mount Vernon, committed a solution to him and Randolph.²⁷

Hamilton found no objection to the provisions for surrender of the Western posts. The date was later than he and others liked, but he had faith the transfer would not be evaded; our possession of these forts would end Indian war and tend "powerfully to establish the influence and authority of the general government over the Western country."²⁸ These clauses gave both countries the right to trade across the international boundary. This was different from trade by sea; we yielded no right to prohibit British vessels in the latter commerce.²⁹

He next dealt with relative guilt in violating the peace treaty. Did the British first offend by abducting slaves, or we by laws of some of the states obstructing collection of private debts owed British subjects? He posed arguments of both sides. Generally, he reprobated interference with the debts, and thought damages should be paid. He found no great quarrel with taking of the slaves; some had been captured, and were enemy property; anyhow, it was odious to return any man to slavery. The detail into which Hamilton went about the slaves, now and later, was not because of their value. Rather, their alleged theft was bitterly complained of by planters of the South, where opposition to the treaty was strong because there heavy debts were owed to British merchants. Hamilton's hatred of slavery, on moral, economic, and political grounds, helped him to excuse the British for carrying off the Negroes in the first place and declining to pay for them in the treaty.³⁰

The question of which nation first broke the treaty of peace was a vexed one. In a narrative of some length Hamilton concluded

our obstructions to payment of private debts were prior to taking off the Negroes. He heartily endorsed the promise not to sequester British property in our funds. Any other course would be disreputable.³¹

This completed consideration of the ten permanent articles, which on the whole were reasonable. The remaining articles, composing the commercial treaty, were temporary. Hamilton had always thought Number Twelve inadmissible.³² It forbade us to reexport certain commodities which were products of the British West Indies, but which were products of other places as well, including in the case of cotton the United States. Hamilton was glad, "though at the risk of the treaty, that the Senate has not accepted it." (The Senate agreed to the treaty on condition this article be referred for renegotiation.) Hamilton credited Jay with his reasons for including the article—that gaining access to the British islands was all-important—but he thought this benefit insufficient to warrant confinement of our trade with other customers. By contrast, the article giving our vessels admission to ports of India was a clear gain to us, for which we rendered no equivalent.

The stipulation that enemy's goods might be taken from a neutral vessel was in accord with the law of nations. The Armed Neutrality had contended that neutral ships made neutral goods (and many Americans were now wishing that principle were established because it would protect our carriage of noncontraband to France). But this pretension was temporary and partial; the old sanctioned rule was what Jay's treaty embodied.

The worst article in the treaty, next to Number Twelve, was Number Eighteen. Opponents contended that it sanctioned Britain's order of June, permitting seizure of provisions as contraband provided they were paid for. This rule was cutting off food to France. Hamilton thought it not so drastic. It had been found impossible to agree on all circumstances warranting seizure. The conclusion of the parties was to stipulate payment because this tended to forestall rupture. Britain might abuse this clause, France complain of it. But Hamilton thought this not ground for rejecting the treaty.³³

Hamilton stressed that the treaty, by express provision, could not be repugnant to our prior commitments (read to France). It would stop us from permitting France to sell her prizes in our ports,

but this last was not a treaty engagement on our part, rather an unneutral concession which should be done away.

The President had asked for comment on the treaty in general. Hamilton's answer was what he gave repeatedly afterward, and what formed the Federalist defense of the instrument. The treaty finally closed the peace with Britain, promised us immunity from "the dreadful war that is ruining Europe." America's prime need was for peace. War now would seriously check our growth; if we could escape it ten or a dozen years we might then match strength with strength. By the treaty we must compensate for the debts, but this was a small price to pay for substantial long-term benefits. The commercial articles, all temporary, mattered little one way or the other. Here again, as always, Hamilton was looking to the future development of the country. He was nurse to the young nation. Since, in sum, we preserved our faith with other powers, made no improper concessions, gained "rather more" than we gave, the treaty should be approved.³⁴

For several days in the middle of July, 1795, newspaper notices and handbills called New York citizens to meet at the city hall at noon Saturday the 18 "to deliberate upon the proper mode of communicating to the President their disapprobation of the English treaty." New York should follow the recent unanimous action of Boston. None should be deceived by the report circulating by friends of coalition with England that the President had already ratified. This was to prevent the "universal" attendance now called for.³⁵

To forestall this project of a sweeping condemnation, a small number of merchants gathered at the Tontine hall the night before and heard speeches by Hamilton and King, with James Watson in the chair. A part of the plan of opposition was an address in next morning's papers. It urged order at the meeting so discussion could be had. None should come there preferring party animus to the good of the country.³⁶

A large number collected at the appointed place. Immediately the clock struck twelve, Hamilton, mounted on a stoop in Broad Street,³⁷ in company of King, Hoffman, and Harison, began to speak. He could only get out that he did not know who called the meeting when he was interrupted by a demand that a chairman be chosen. Colonel William S. Smith, son-in-law of Vice President

John Adams, was installed on the balcony overlooking the throng. At once Peter R. Livingston and Hamilton disputed the floor. The chairman put it to a vote which speaker should be heard. Livingston won by what was taken to be a large majority.

However, Livingston, seeing that a large contingent came to approve the treaty, moved a division of the crowd. Those opposed should draw off to the right, those favorable to the left. Many went toward Trinity Church at the head of Wall Street. Hamilton, apparently supposing those who came to condemn the treaty out of hand had separated themselves, begged for discussion before citizens formed their opinions. Few of his sentences could be heard "on account of hissings, coughings, and hootings which . . . prevented his proceeding." Brockholst Livingston, nothing deterred by being Jay's brother-in-law, opposed Hamilton. The text of the treaty had been known for two weeks, and all had probably made up their minds and were prepared to vote for or against. The place was not proper for discussion—which was true—and no building was big enough to contain the crowd. Delay would defeat the purpose of the meeting, for at any moment word might come that the President had approved the agreement.³⁸

Now the people at Trinity surged back. Nothing was possible in the tumult. Some hundreds went to the Battery to burn the treaty. In this interval Hamilton passed up to the chairman a resolution said to have been penned by Rufus King. One account was that this was cried down as quickly as the crowd got the import. The chairman recorded differently. He read the motion "that it does not appear to this meeting necessary to express any opinion on treaty," since full confidence was reposed in the President who, by the Constitution, must now decide. In spite of interruptions, the question was put, but, in the disorder, the chairman could not pronounce where the majority lay. Nor was decision on the counter-proposition plainer. Somebody nominated fifteen on a committee to report to an adjourned meeting the following Monday. Many yelled approval, but the chairman could not be sure whether most understood what was happening.³⁹

Hamilton's son, years afterward, declared that when his father exhorted those present to show respect for themselves by remaining orderly, "He was replied to by a volley of stones, one of which struck his forehead; when bowing, he remarked, 'If you use such

knock-down arguments I must retire.' " He then handed up the written resolution.⁴⁰ This has often been repeated,⁴¹ but no eyewitness or other contemporary account which I have discovered mentions Hamilton as target for stones. He stood in a conspicuous position; had he been stoned some of the newspaper printers, or their anonymous correspondents, would hardly have omitted it.⁴²

The contingent at this meeting supporting Hamilton, King, and their friends must have been large, for Monday morning "A Citizen" voiced his alarm lest friends of the treaty might yet be victorious in recording the preference of New York. In high strain he exhorted those who would come to the second meeting: "be not trampled on by *tories*, or those who, under the *mask* of federalism, are *tories* at heart; suffer them not, to brow beat you," but stop short of violence against their persons.⁴³

With such advertisement of another fight in prospect, Monday's crowd was larger than before, estimated at 5,000 to 7,000 (which was bigger than the fact, or the speakers could not have been heard). Those hostile to the treaty controlled this meeting, but they took pains to get confirmation of the committee before Brockholst Livingston read the prepared resolutions.⁴⁴ Paragraph by paragraph they were approved, to be dispatched to the President.⁴⁵ Filling four newspaper columns, they damned the treaty roundly. It was injurious to agriculture, manufactures, and commerce of the United States, "derogating from their national honour, and dangerous to their welfare, peace and prosperity."⁴⁶

Evidently Hamilton and the other Federalists made no opposition at Monday's meeting, preferring action by the Chamber of Commerce next day. A full meeting of the latter body heard the entire treaty read, then by an overwhelming majority passed resolutions that sounded much like those prepared by King. They deplored hasty warmth that had misled the popular mind, then commended the treaty in general and in signal particulars.⁴⁷ The general voice of New York, however induced, was thus joined to that of other ports—Boston, Philadelphia, Baltimore, Charleston—admonishing the President to reject the treaty.⁴⁸ This defeat for the Federalists was the more impressive since, before the terms of the treaty were known, they had easily elected John Jay governor.⁴⁹ Hamilton had come home from triumphs at the national capital, only to be repudiated in his latest policy.

But he had other and surer means of reversing the discouraging trend. Only two days after New York's defiance, essays commenced in Greenleaf's *Argus* in "Defence of Mr. Jay's Treaty" signed "Camillus."⁵⁰ Hamilton could not have written this long opening piece, three columns of fine type, since the disorderly meeting of the previous Saturday, though he began by glancing at the ready-made prejudice and party ambition that would discredit the document. However, he must have been glad that he began the series when he did, for the same issues of the newspapers contained the opposing offerings of "Cato," "A Friend to Republicans," "Franklin," and others less weighty.

After the *Publius* (*Federalist*) papers of seven years before, the *Camillus* pieces of 1795 in support of Jay's treaty are Hamilton's most famous addresses on public policy. The two performances differ. *The Federalist*, to secure approval of the Constitution, was concerned primarily with domestic organization, while *Camillus* was provoked by a crisis in foreign relations. The first proposed a fundamental change of structure; the second urged perseverance in a course already set. *The Federalist*, dealing with internal matters, stirred no chauvinism, while *Camillus* was issued in an atmosphere charged with patriotic pretensions. When the Constitution was under discussion, factions had not taken form, but when Jay's treaty came on the boards, parties were rampant. Hamilton had more help, especially from Madison, in *The Federalist* numbers than he received from King in *Camillus*. While *Camillus* argued for a particular action, these papers ranged wide, amounted to an estimate of the political and economic situation in the Western World.

When we scan other addresses on Jay's treaty, pro and con, the well known ones by men of parts, we ask what gave *Camillus* acknowledged superiority? *Camillus* was longer by far, was readier to explore principles, was more replete with particulars. Besides these merits, the series spoke an earnest purpose, patriotic rather than partisan.⁵¹ It did not use sarcasm, directed criticism with regret rather than ridicule. It was an exposition more than a debater's brief, employed fair reason instead of striving for a point. These qualities were the more impressive because the *Camillus* pieces broke in upon an opposition that was hysterical, superficial, and abusive. The Republicans were encumbered with the accusa-

tion, perfectly deserved, that rejection of the treaty was the preface to war. Besides, their mode of attack was sensational. Hasty denunciations of the treaty by popular assemblies were as inflammatory as the burnings of Jay in effigy. The denigration of Jay was striking of its kind, for the image of the sober chief justice was incongruous in a dung cart or swinging from a limb. But this furor could not last; when citizens began to be disgusted by violence and shrill clamors the Republican leaders neglected to offer better instruction for the country's opinion.

Jefferson, alarmed at the impression Hamilton was making, but himself declining to answer, urged Madison to the encounter. This was not responsible conduct. If the peril was what he said, Jefferson should have stepped into the breach. He, not Madison, had been minister to France; he, not Madison, had been Secretary of State; he, not Madison, had leisure to digest a spirited reply to the friend of the treaty. *Camillus* had been running less than two months when the master of Monticello exclaimed to his colleague: "Hamilton is really a colossus to the anti-republican party. Without numbers, he is an host within himself. They have got themselves into a defile, where they might be finished; but too much security on the republican part will give time to his talents and indefatigableness to extricate them. We have had only middling performances to oppose to him. His adversaries having begun the attack, he has the advantage of answering them, and remains unanswered himself. . . . For God's sake take up your pen, and give a fundamental reply. . . ." ⁵²

Several of the later numbers of the *Camillus* series were answers to "Cato" (Robert R. Livingston).⁵³ Probably Hamilton identified the author (who had shifted his opinion and considerable influence from Federalist to Republican). Anyhow "Camillus" thought "Cato" worthy of his steel for the particular scrutiny of the treaty, article by article, with special reference to the law of nations. Livingston's assertions drove Hamilton to some of his most extensive reviews of international custom and agreements. A chief instance was Livingston's effort to prove that enemy's goods might not be seized in neutral ships, since treaties had annulled the general law on which Jay (and Hamilton) relied.⁵⁴ Hamilton went to pains to study and compare treaties (in the collection of Chalmers and others) as far back as 1564 in order to counter

Livingston's argument. He clinched his own interpretation as that of our government by quoting letters of Jefferson, as Secretary of State, only two years before: the "established principle of the law of nations" made "enemy's goods lawful prize in the vessel of a friend."⁵⁵

The Senate, convened in special session mainly to act on Jay's treaty, promptly rejected an effort of Burr for renegotiation of the instrument and of others for outright refusal of consent. Other motions to secure payment for slaves carried away were likewise voted down. The Senate, June 24, 1795, advised the President to ratify the treaty with the exception of the twelfth article, covering our trade with the British West Indies. This article was to be suspended while further discussions on the subject were held between the parties. The Federalist strength in various divisions was 20 to 10.

In the beginning secrecy concerning the treaty was strictly enjoined on the senators, and only one copy for each was printed. Repeated efforts to rescind this stipulation, mostly by opponents of the treaty, were resisted. However, in the end the senators decided that they might talk about the treaty but should not allow any copy of it. This was June 26, when the Senate adjourned.⁵⁶

Hamilton wrote Washington's speech at the opening of Congress, December 8, 1795, which congratulated upon the prospect of termination of Indian hostilities on our frontiers and of our differences with various foreign powers. The President announced to the House that the Senate had advised and consented to ratification of the treaty with Great Britain (with exception of one article); he had added his sanction, and waited only for similar approval by the king. Our concord at home and abroad promised a "precious . . . foundation . . . for establishing, accelerating, and maturing the prosperity of our country!" This contrasted with the calamities of war in Europe,⁵⁷ and was what Hamilton had devoutly wished.

The President laid the treaty before the House, for its information, March 1, 1796, as an accomplished fact through exchange of ratifications in London the previous October. A week later was called up Edward Livingston's motion that the President be asked to furnish the House with Jay's instructions and other pertinent papers. This proposition, with its implications, was debated for

more than a fortnight before it was approved by a comfortable majority. At the end of March came refusal to comply; these papers were not appropriate to any business of the House since the treaty-making power was exclusively vested in President and Senate.

Hamilton's habit of completing what he commenced was not better demonstrated than in his persevering defense of the Jay treaty. He knew that it was not enough to project a policy, reason in its behalf, and hope that it would commend itself. Even when the treaty seemed a done thing, was ratified by the President with consent of the Senate, its friends must remove fresh obstacles thrown in the way of carrying it into effect. Failure to down technical maneuver would be no less defeat. Having won the principle, Hamilton continued to exert himself with President and Cabinet, leaders in Congress, and the public to clinch the result.

As soon as Hamilton saw Livingston's motion requesting the President to furnish Jay's instructions, he voiced his "first impression . . . that the propriety of a compliance with the call, if made, is extremely doubtful. But much careful thought on the subject is requisite."⁵⁸ Soon after, he reported to the President the opinion that such a request "ought not to be complied with," for production of the papers would "start new and unpleasant game" and "be fatal to the negotiating power of the government. . . ." He sketched a couple of paragraphs which fell short of peremptory refusal.⁵⁹ With some rewording Washington soon adopted them in his reply to the House.

Then Hamilton began to draw out his reasons, numerous and articulated. The Constitution said President and Senate should make treaties, which shall be supreme laws. "It is a contradiction to call a thing a law which is not binding. It follows that . . . the House . . . quoad the stipulations of treaties . . . are not deliberative, but merely executive, *except as to the means of executing*."⁶⁰ As foes of the treaty in the House continued to insist on having the papers, Hamilton concluded they should be answered thoroughly, and elaborated his doctrine in thirteen propositions.⁶¹

Hamilton's draft for Washington's reply to the House was commenced March 24, though under the difficulty that he did not know what turn on it the President would finally take.⁶² Two days later he had been unable to finish it, hoped to send it by the next post, but in the meantime notified of his opinion "that the papers

ought all to be refused."⁶³ Two days more, and Hamilton was obliged to postpone dispatch until the day following. The case was delicate, demanded time to perfect ideas and expression. No papers should be submitted. Jay's instructions were "a crude mass" which Hamilton, from delicacy and haste, had been able to reform only in part. He referred to a half-dozen features which if disclosed would be profoundly embarrassing and injurious to this government.⁶⁴

Hamilton fulfilled his promise March 29, though he knew what he sent was too lengthy.⁶⁵ It certainly was. Some five thousand words, it read like a constitutional treatise, and echoed the disquisitions in the last three numbers of *Camillus*. It violated the good rule that if you are going to say No it is better not to give reasons, or not *all* the reasons. It was far from the best of Hamilton's efforts of this sort, partly because he worked under pressure, with interruptions.⁶⁶

Though the President delayed his response to the House, waiting for Hamilton's draft, it came too late (March 30) to be used, or to affect what Washington and his Cabinet members had prepared. The latter, one-third the length of Hamilton's paper, was much more appropriate to the occasion.⁶⁷ Hamilton applauded the President's answer, made nothing of clamors in New York among the disappointed Livingstons. He would like to have back his own paper sent without copying—"to correct, prune, guard, and strengthen."⁶⁸ Hamilton returned it after a few days lest it be wanted. "I have done something [to improve it] but not what I intended. The sitting of two Courts & my professional engagements there prevent the execution of the plan."⁶⁹

Soon he saw occasion for his detailed argument against presumption of the House. Ames wrote that the majority, fifty-seven, in caucus resolved to refuse appropriation for the treaty. (Not furnished the papers, they would not execute the instrument.) Hamilton immediately alerted Rufus King in the Senate. "A most important crisis ensues. Great evils may result, unless good men play their card well and with promptitude and decision. For we must seize and carry along with us the public opinion, and loss of time may be loss of every thing." He outlined a course of swift action. If the House balked, the President should protest solemnly and fully on constitutional and national grounds. The Senate should sup-

port him in executing the treaty. Merchants must pass similar resolves, "addressing their fellow-citizens to co-operate with them," and petitions should be handed throughout the country. But he included a caution. It would not be eligible for Federalists in the House to resist execution of the Spanish and Algerine treaties, also pending, unless that with Britain were respected. "The misconduct of the other party cannot justify in us an imitation of their principles. . . . Let us be *right*, because to do right is intrinsically proper, and I verily believe it is the best means of securing final success. Let our adversaries have the whole glory of sacrificing the interests of the nation." The President ought not to retire until the treaty was executed. Two means to success were uppermost in Hamilton's mind. One is regularly identified with him: "in all this business, celerity, decision, and an imposing attitude, is indispensable. The glory of the President, the safety of the Constitution, the greatest interests, depend upon it." The other, less noticed, is equally characteristic: "we must seize and carry along with us the public opinion . . . in the confidence that . . . the virtue and good sense of the people, constitutionally exerted, . . . may still be the instrument of preserving the Constitution, the peace, and the honor of the nation."⁷⁰

Briefer discussion of the President's rebuff led to resolves of the House that while the concluding of treaties lay elsewhere, the House was within its constitutional right in refusing to enact laws necessary to carry a treaty into effect. Madison supported this view in a long speech. The resolves passed by a wide majority, April 7.⁷¹

The next and last phase of the debate commenced a week later and was on the merits of the treaty. Madison opened for the objectors. The United States had broken the peace treaty by blocking payment of debts, but by the present treaty would make restitution. The British had broken the former engagement by absconding with the Negroes and retaining the posts, for neither of which were they to compensate us. He glanced at all the main points, seeking to refute where Hamilton had striven to reinforce. But this was not the rejoinder to *Camillus* which Jefferson in his distress had urged on Madison months before. Madison came in too late. It had been hard enough for the government to secure an acceptable treaty when the power to negotiate and approve was unquestioned. Now Madison and his friends were obliged to fight

not only Britain but also the President and Senate of the United States. Their plea must in the end be technical, not moral.

Still, it looked as though they might create a constitutional impasse which would prevent execution of the treaty by refusing to appropriate some \$100,000 toward defraying the expenses incurred and prospective. This was the alarming situation when Fisher Ames made his famous appeal. He referred in the beginning to his feeble health, and at the close feared that, ill as he was, his country would perish first if the treaty was not upheld. Between salutation and peroration he gave an exhibit of mental vigor and emotional exertion which belied his physical state. His speech was *Camillus* compressed, but with an added eloquence that none but he could have supplied. He rejected the presumed power of the House, but mostly he impressed the right policy of the treaty, preserver of our neutrality.⁷²

Venable broke the spell of Ames' persuasion by a motion that the Committee of the Whole should rise. Two days later, April 30, 1796, a motion to make the necessary appropriations was barely carried, 51 to 48.⁷³

It was a close thing. Though in the extensive debates in Congress *Camillus* was not referred to, nor was its author in any important connection,⁷⁴ it is a fair inference that Hamilton's arguments for the treaty made the difference between acceptance and rejection. His series of papers, exploring every aspect of the treaty, seems to have stood as sufficient reason for approval or as the chief fortress to be attacked. Had there been no such principal exposition, champions in Congress would have lacked weapons at hand. Further, Hamilton's pieces did an unknown amount to rally public sentiment for the treaty. This endorsement out of doors, made explicit in numerous petitions to the House, must have had effect.⁷⁵



Legacy on Leaving Treasury

THE office of Secretary of State has been acknowledged as taking precedence in the President's Cabinet. Washington told Jefferson that "embracing nearly all the objects of administration," it "was much more important" than that of Secretary of the Treasury which was "limited . . . to the single object of revenue."¹ We need not suppose that the President argued thus in order to retain Jefferson's services, though he spoke afterward of wanting Jefferson as a counterfoil in the administration "to keep things in their proper channel, and prevent them from going too far."²

However, circumstances combined at the outset of the national government to make the Secretary of the Treasury, and particularly Alexander Hamilton in that office, dominant in the Cabinet. Woodrow Wilson observed of the executive, "We think of Mr. Lincoln rather than of his Secretaries when we look back to the policy of the war-time; but we think of Mr. Hamilton rather than of President Washington when we look back to the policy of the first administration."³ As the infirmities of the Confederation had been largely fiscal and commercial, it was the first order of business under the Constitution to produce solvency and economic prosperity. As soon as organized, Congress referred to the Secretary of the Treasury the problems of revenue and provision for the domestic and foreign debt. Many of the legislators thought they were abdicating their right in asking

an appointed minister for plans. Money measures were the privilege and responsibility of the House. But their embarrassment yielded to their necessities. In spite of self-esteem, they had the candor to recognize that a comprehensive, effectual scheme equal to the emergency required knowledge and contrivance of a high order. It probably could not be put together in a deliberative assembly, but must spring from one superior mind. Congress had ventured a stop-gap import duty, had found the work time-consuming and hit or miss. Indeed, during its independent efforts Congress had been politely admonished by Hamilton to desist until a coherent policy could be formed.

The lingering self-reproach of Congress in committing its all-important tasks to the secretary took the form of refusing to have him appear in person to present and explain his reports. This was a childish reservation. Hamilton might as well have stood in the House for all practical purposes, since his proposals in spite of bitter opposition were carried to passage with slight changes. Of course, he briefed friends of his projects, set the pace in the debates, and used opportunity to attract votes. Jefferson, avowing that he himself had never solicited legislative favor, blamed Hamilton for exercising influence in Congress. Supposing that Jefferson was as abstemious as he claimed, Hamilton felt himself under no such compulsion. He accompanied his reports with draft bills, and the same intention to see his plans enacted made him shepherd his political forces. It was not a time for nicety. To move off at stride the government must be supplied with funds. Debts were crying for attention. Only recently the country had been in business slump. Since Hamilton's day exertions of the executive with the legislature have become commonplace. The President finds himself grievously handicapped if he lacks a working party majority in Congress. He calls leaders to the White House to urge passage of his program. Washington, by contrast, deplored party operation ("faction"), and contented himself with original recommendation. As a matter of fact, he could preserve his aloofness partly because Hamilton was so much at one with Federalist spokesmen in House and Senate. Hamilton always believed in the kind of creative executive branch of government which subsequent history has evolved.

Solvency was the condition of sovereignty. Every concern for

the nation's dignity, security, and power gravitated to the Treasury. We could not have working relations with foreign countries until we bolstered our own economy. Public income (soon affording a navy) was to be the means to trade treaties. However, preparatory work aside, foreign affairs were not critical in these years. All members of the administration united in the declaration of neutrality between England and France. This policy having been adopted, the excesses of Citizen Genêt were to be reproved by request for his recall. The Secretary of State, though he agreed in this, was less emphatic about it than were Washington and Hamilton. By the time the European contest was having cumulative effect on America, and we must choose whether to mollify Britain or France, Jefferson had left the Cabinet. The Jay treaty was Hamilton's project from beginning to end—he urged it, framed instructions for the ambassador, and, though by then out of office, in the *Camillus* essays successfully pleaded for ratification.

While overseas relations were distant (*vide* the “no entangling alliances” of Washington's farewell), domestic concerns were pressing. Nominally the assignment of Secretary of State embraced these, as we had no Department of the Interior until a century later. But actually, aside from proposing his splendid decimal system of currency, Jefferson while in Washington's Cabinet made little contribution to our home development. He could not while his strong and declared predilection was for state autonomy instead of national authority. Sales of public lands were in Hamilton's department, and, until he voluntarily relinquished it, the post office also. But these spheres were formal. The policies and programs that made the Treasury felt in every quarter of the domestic scene were funding, assumption, and bank, customs and internal revenue, with all that these implied in invigoration of the economy and in political consolidation.

These policies of the Treasury, not foreign relations, produced the longest, most heated debates in Congress. Indeed, it was the futile effort of the Republicans to dislodge Hamilton that led to inquiry and further discussion in 1794. By the time the Jay treaty came on for furious legislative combat, both Jefferson and Hamilton had quit the Cabinet, but it was Hamilton, in a sort of epilogue to office, who advised the President and marshaled party leaders in this conflict. The principal domestic crisis was the

Whiskey Insurrection and its suppression. Not only did this fall principally domestic, it must be enacted first by the House of squarely in Hamilton's bailiwick, but the issue was a defeat for the political forces opposing him.

Besides, Hamilton obtruded into other departments. This was partly because they impinged upon the Treasury, but more was due to Hamilton's eager competence and deep concern for the success of the national experiment. As for the War Department, Knox never objected; as Jefferson complained, he generally coincided with Hamilton in opinion, and once Hamilton conducted the war office in Knox's absence. Randolph, as attorney general, was this way and that, which prompted Hamilton to preempt his function to a degree.⁴ When Bradford took over, congeniality produced an influence of Hamilton that required no interference. The Secretary of the Treasury poached on the State Department's preserve, in spite of Jefferson's distaste. Nor was this always open intervention, for Hamilton talked too freely with the British minister, Hammond. It must be remembered that Jefferson had not stirred sentiment for the Constitution, nor had he helped frame and defend that instrument. Hamilton, by contrast, had been in the thick of that political revolution, and was committed to its fortunes. Because he thought the Constitution lacking in important respects, he was the more anxious to bolster it at every turn. If Hamilton's behavior toward his Cabinet colleagues needs excuse, it may be offered in his comparative youth and zeal. He was similar to Sergeant York in World War I, who, when asked how he captured thirty of the enemy single-handed, is reputed to have answered, "I just surrounded them." Hamilton was always on the *qui vive*; he could not relax, even when he reached an age and eminence when most men would on occasion seek leisure. This was in his make-up, was both a virtue and a drawback.

In instances the President asked his opinion or assigned him duties outside the Treasury. Advice which Hamilton furnished Washington in the autumn of 1790 illustrates his insight and thoroughness which were reasons for drawing him in on a decision. On this occasion his opinion in writing was asked by the President with that of the Secretary of State. If Britain's dispute with Spain came to war, the former would send troops from Detroit, through United States territory, against Spanish possessions on the Mississippi, New Orleans and the posts above it. What should be our

answer if permission were asked, or our action if passage was undertaken without our leave? Washington was plainly apprehensive of further British acquisitions on our borders.⁵

Jefferson replied at once, briefly, that we should give no answer to a request and improve the opportunity of the consequences as seemed best in the event. Hamilton, occupied in Treasury business, submitted his opinions three weeks later. The fullness of his discussion, legal, political, and military, is to be compared with Jefferson's cursory and inconclusive answer. Granted that he knew Jefferson's reaction before stating his own, the contrast was striking, and obtained in other instances which we may not treat. He explored the several contingencies with a perception and knowledge which his Cabinet colleague could not or did not summon. Specific possibilities were related to comprehensive national interest. In this paper, as well as in any, one can see why the President set a premium on Hamilton's counsel—his clear analysis, the light he shed on every eventuality, and his positive recommendation.

This episode belongs to Hamilton's persevering work, several years later, for the Jay treaty with Britain. The main features of his reasoning then are present here—his desire that our young country should avoid war, his preference—if choice must be made—for preserving the friendship of Britain rather than embarking fortunes with eccentric France or weak Spain. He was against dodging the issue by silence, which forfeited our national dignity and would compromise our actions in the sequel.⁶

Jefferson resigned from the Cabinet more than a year before Hamilton did, but while in it he constantly resented what he described as Hamilton's dominant position in the government. He attributed this to the corruption of congressmen and the tribe of speculators who licked the hand that fed them. Judging from his own testimony, Jefferson did not feel himself to be the chief minister other than in name. His *Anas* for this period do not reflect a diarist who enjoyed his work, who was absorbed in a creative undertaking, who was daily and hourly expectant. Instead Jefferson was self-conscious, avid for disparaging gossip, and managed to record an unattractive egotism. While he discussed some affairs of state, he gave more pages to trivia and carping. Plainly Jefferson's heart was not in his assignment. It was to him a task, not an

opportunity. He sighed to quit Philadelphia for Monticello. Hamilton's heart was exactly where he found himself, in the national capital, putting his hand to tasks that spelled vigor of the central government. As compared with these differences in fact, the priority of the Secretary of State was nominal. Hamilton kept no diary, or it might have contained some of the animus he poured into his newspaper pieces against Jefferson in their intra-Cabinet warfare. For the rest he was too busy with constructive reports, with organizing and conducting his expanding department, to think of slights to himself.

In contrast to Jefferson, Hamilton while in the Cabinet had a program, varied in its parts but coherent and urgent. Moreover, principally domestic, it must be enacted first by the House of Representatives. Jefferson's foreign affairs were pondered by President and Senate, and hence were not submitted to the country as were fiscal policies.

Hamilton's influence in the Cabinet and government by no means ceased when he resigned the Treasury. He continued through Washington's second administration and through much of that of Adams to be the recourse of department heads and party spokesmen. His ties with Washington, Wolcott, Pickering, and McHenry made him an unseen presence in their deliberations and actions. After his physical departure he was chief minister *in absentia*.⁷ William Findley of Western Pennsylvania was among Hamilton's most persistent foes. But he said that Hamilton was "intrusted with the most influential portion of the administration" and that "circumstances have . . . combined in exalting the power and extending the influence of the present Secretary of the treasury" until "it is not surprising that he has acted the most conspicuous part in the administration, not only of the fiscal, but other important governmental transactions."⁸ At the time of his death, in reviews of his services, his relative place in Washington's Cabinet was recognized: "He was the vital principle of the first administration under the constitution; and for the establishment of that constitution we were more indebted to him than to any other man."⁹ Dr. John M. Mason, in his discerning sketch of Hamilton in our national history to that time, said that in Washington's choice "The department best suited to him, because the most arduous, was the Treasury." Although this was his particular province, "his genius

pervaded the whole administration; and in those critical events which crowded each other, had a peculiar influence upon its measures."¹⁰

During Hamilton's tenure in the Treasury, 1789-1795, the total expense of the federal government doubled (from \$3,207,096.90 to \$6,661,512.14). For the latter year revenue was estimated to be \$7,172,425.38.¹¹ This growth in Treasury operations embraced new sources of income and added objects of outgo as the national government became established. Naturally the Treasury staff increased correspondingly, particularly when the connected agencies directly under Treasury control (collectors, supervisors of the revenue, and so on) are included. In this process the numbers of persons in Hamilton's department, always the largest of the three, increased not only absolutely but comparatively and not only at the seat of government but throughout the country. This cadre of federal employes supplied Hamilton with patronage (subject to the President's approval), influence, and information. These appurtenances caused jealousy in the State department which remained small, and in anti-Federalist ranks generally.

At the outset in 1790 the Treasury had 39 persons total. In the secretary's office were his assistant, 5 clerks, and a messenger. The auditor had 12 clerks "who, besides the current business under the new Government, have the settlement of the accounts which arose under the Confederation." At this time the State department, which had no subordinate divisions, required only 4 clerks and a messenger, and the War department had one clerk fewer.¹²

The next year, 1791, it was estimated the Treasury would require three times as many clerks, 53. Hamilton explained that this was demanded by liquidation of the old government and pressure in conduct of the new. Moreover, the expense of additional clerks and "providing different sets of books, and other stationery" threatened to "exhaust nearly, if not altogether, the whole salaries of the officers, and in others so considerable a part of them, as to leave a very incompetent recompense for the services to be performed."¹³ This statement is doubtless the source of the story sometimes met with that Hamilton, installed in a moneyless Treasury, bought the first ledgers and pens from his own pocket.

The offices of the Treasury, on removal to Philadelphia, were at 100 Chestnut Street, except that the Treasurer (Samuel Meredith) was located at 71 Chestnut. Joseph Hardy was Hamilton's first clerk, and the names of 10 more and a doorkeeper and a messenger are given. Fraunces of evil memory (see below) is now among 8 clerks in the office of the assistant secretary, Tench Coxe. Hamilton's home was at 79 South Third Street; Wolcott was near at 121, Coxe at 126. Jefferson lived at 274 High (since Market) Street.¹⁴

Now first appeared the large company of collectors, surveyors, and naval officers in fifteen customs districts (each state a district). Their names fill more than three small pages. Many of the surveyors, particularly, were stationed at insignificant landings on creeks.¹⁵

In 1792 Hamilton's own office absorbed that of the assistant secretary, for Coxe at the end of the fiscal year was appointed commissioner of the revenue and his former office was abolished. The largest single division was that of the register (Nourse) with 39 clerks and 2 messengers; the auditor (Richard Harrison) had 20 clerks. Collectors of the customs (67 in number) received gross emoluments varying from less than \$100 (Eli Elmer at Bridgetown) to \$8,423.95 (John Lamb at New York). Sharp Delany at Philadelphia had \$8,103.98, Benjamin Lincoln at Boston \$5,584.50. These positions yielded much more than Hamilton and the other Cabinet ministers were receiving. Fifty-seven surveyors of the customs got less than the collectors (John Lasher at New York the highest, \$2,514.73).¹⁶

Others in related departments under Hamilton were 31 officers of the revenue cutters, 297 inspectors, gaugers, weighers, and others employed by the collectors; 15 supervisors and 20 inspectors of the revenue; 13 keepers of lighthouses. This made a total under Hamilton of 570.¹⁷

We have further particulars of Treasury premises and personnel for the following year, 1793, which sound more fixed than they were because the offices were deranged for some months by the yellow-fever epidemic. The divisions of the department centered at 100 Chestnut Street. Hamilton's office was on the first floor, No. 1, and his hours "for receiving applicants on public business" were from nine to twelve in the morning.¹⁸ Perhaps he delegated

some of this work to his chief clerks, at this time John Meyer and Edward Jones. The office of the comptroller and that for delivery of specie warrants and certificates of funded debt were on the second floor. The register's "apartment" was in the court behind this building, but other offices were scattered.¹⁹

We need not follow this story of expansion for the remaining year Hamilton was in the Treasury.²⁰ By comparison with modern prodigious growth it all seems comically small, like a government for Toy Town. In two respects, leaving aside the special fitness of executives, this small administrative organization was more efficient than since. Only the most important services could be rendered, and the amount of work turned out per capita was superior, from all indications, in both quantity and quality.

At the last of May 1794, Hamilton wrote the President deferring the offer of his resignation which he had previously set for the close of the session of Congress. He feared that the opposition party would plunge us into war with Britain. Events "have lately accumulated of a nature to render the . . . continuance of our peace . . . precarious." He could not voluntarily quit at such a juncture. If Washington had made any plans to supply his place, he would exit at once, as "even a momentary stay could only be produced by a sense of duty or Reputation."²¹ Had the President committed himself to a successor in the Treasury, we may guess that Western protests against the whisky tax would have been more violent and would have gone longer unrepressed, for it was Hamilton in his official post who demanded corrective measures. Hamilton's departure at this time would have had no effect on the Jay treaty, for the envoy had been dispatched and soon was conveying Hamilton's ideas to Grenville and reporting favorable prospects for his errand.²²

George Hammond, the British minister, on friendly personal as well as official terms with Hamilton, learned from him a year before he quit the Treasury that he would do so when Congress adjourned if the political situation permitted him to retire with honor. A chief cause was chagrin that ways and means of protecting against the Algerines was referred not to him, as usually, but to a select committee.²³ Then discussion with Britain and the Whisky Insurrection postponed his resignation. The inadequate

salary obliged him to exhaust "almost the whole of the small fortune he had acquired. . . ." Hammond had a just estimate of Wolcott, whom he supposed would succeed to the post: ". . . a very candid and worthy man, and has been much in Mr. Hamilton's confidence. He is also said to possess very considerable talents. Yet . . . it is not probable that he will ever be able to acquire the influence which his predecessor possessed."²⁴

At the first of December, 1794, with enemies of himself and his party repulsed, Hamilton informed the President that he had fixed upon the last of January for stepping out of the Treasury. This allowed time for choice of his successor.²⁵ On the same day he notified the Speaker of the House that he would leave office in two months, and triumphantly invited in the interval any further inquiry into his conduct of the Treasury.²⁶

Hamilton's last major report, submitted in January 1795, was an account of his stewardship and a legacy from his fiscal experience and wisdom. With added emphasis he urged the necessity of integrity in Treasury operations. The main object of the report was to point to means of extinguishing the entire debt of some \$76 million without resort to new sources of revenue. He drew special incentive from the President's speech in opening Congress a month earlier, in which (in Hamilton's words) Washington trusted our system of public credit could now be completed; plans should be laid for redeeming existing debt and preventing the pernicious accumulation of more.²⁷

Hamilton's definitive scheme had the same purpose as the report of a House committee being vigorously debated at the time. William L. Smith, of South Carolina, the chairman, who often before had been the Treasury champion and indeed spokesman, complimented the President for promoting prosperity through keeping the country at peace, and paid tribute to the retiring secretary. Hamilton's "assiduous labors had given energy and system to the complex machinery of an extensive and intricate Department," and a large committee of the House had recently (after investigation) borne testimony to his "fidelity and services."²⁸ Smith's resolutions looked to "the redemption of the public debt," that is, went beyond the funding which provided for the interest only. The Treasury supplied materials supporting motions to continue temporary

taxes, sell Western lands, and devote surpluses to retirement of debt principal.²⁹

The spirited exchanges between Smith and Ames, principal supporters of debt discharge, and Nicholas, Findley, Venable, and others who found objection, give special point to Hamilton's fuller survey and conclusions.³⁰ The Federalists, by resolute taxation and a well nourished sinking fund, would clean up the debt and thus refute the charge of their opponents that they proposed to perpetuate public debt as their instrument of party and personal power. With his unmistakable turn for words, Fisher Ames declared it had suited Southerners "to represent the Eastern members as the patrons of a system of paper influence, of Treasury corruption, of certificate nobility; that they have . . . succeeded to pervert and stretch the Constitution, to organize . . . systems of concealed aristocracy; that they deem the Debt, as it promotes these vile purposes, a blessing; that they made it to oblige one another, and will not part with it, lest . . . popular principles . . . should prevail over . . . corrupt connexions. . . ."³¹

Hamilton's long report was received promptly in both houses.³² Of the representatives, only Lyman of Massachusetts was opposed. Ames thought the opposition acquiesced because unprepared; after their vehemence in the "vile debate" on the President's message, what else could explain their willingness?³³ Madison admitted as much. "Hamilton has made a long Valedictory Rep^t," he wrote Jefferson. "It is not yet printed, & I have not read it. It is said to contain a number of improper things. He got it in by informing the Speaker he had one ready . . . for the House whenever they sh^d please to receive it. Berdinet [Boudinot] the ready agent of all sycophantic jobs, had a motion cut & dry, just at the moment of the adjournment . . . which passed without opposition & almost without notice."³⁴ It is difficult for us at this distance of time to understand how, when debt reduction was being discussed, there could be room for refusing the fullest information from the Secretary of the Treasury.³⁵

Hamilton began by recapitulating the existing revenue acts, the provisions for funding the debt and those for reimbursing it. This amounted to a roll call of his own successful recommendations during four years. He presented ten propositions for completion of the fiscal system; he believed that if this chart was followed, every

obligation, deferred and accruing, would be met. The proposals, in bare recital, were in several cases complicated. To escape the charge, made previously, that his devices were mystifying to members of Congress, he took pains, in the following section of the report, to explain luminously each measure.

The first was to commence annual appropriations for payments of interest and principal of the unsubscribed debt. This resolve was likely to resurrect old objections to the funding plan. The vast majority who had converted their securities, with some sacrifice of precise terms of their contract, might complain if the few who had refused to make concessions to the national need were now to be paid in full as originally stipulated. Hamilton quieted potential dissent with three pleas. Those who declined to enter the scheme had undoubted right to stand on the public's original commitment, and they must be satisfied by a government now capable of discharging their demand. Those who converted had enjoyed benefits from their choice. Lastly, it was to the interest of the majority of creditors to see that the minority were satisfied. In this recommendation, at the end of his tenure of the Treasury, Hamilton was completing unfinished business to which only financial necessity had reconciled him. Similarly, he urged that the federal Treasury assume full responsibility for interest and principal of the outstanding new emission bills of credit, freeing holders from longer reliance on faith of the issuing states.³⁶

The foreign debt should be converted, at option of the holders, into domestic debt, a slight increase of interest (actually, a little more stock) being offered as inducement. By eliminating transfer problems, this would bolster public credit. Of more consequence were proposals to render this credit immortal by increasing the sinking fund and contracting with creditors that the fund should be inviolable. With right management the existing debt could be discharged in thirty years, and debt would not be recklessly created in future if Congress held to the maxim that corresponding revenues should be pledged to its redemption. He warned solemnly that without such national self-discipline "the public debt swells till its magnitude becomes enormous, and the burthens of the people gradually increase, till their weight becomes intolerable. Of such a state of things, great disorders in the whole political economy, convulsions and revolutions of government, are a natural offspring."³⁷ He reiterated his imprecations on any who would raid

the sinking fund, diverting it, in whatever emergencies, to other than its original objects. Further, in leaving office he declared again that his purpose was to preserve credit, not to accumulate debt; the two were antithetical.

He reserved for the conclusion³⁸ an earnest rejection of the proposal that the government was at liberty to tax its own funds, or sequester them in time of war. He protested with all his logic and moral force that to do either in any form would be to violate the commitment to the lender. "The true definition of public debt," he observed, "is a *property subsisting in the faith of the Government. Its essence is promise.*" Once it contracts a debt the government loses legislative power to change its terms, and becomes, like an individual, a "moral agent" obligated to faithful compliance. No compulsory modification, not provided for in the instrument, was allowable. This was "a principle . . . most sacred." War could not reduce the claim of an enemy creditor in our national funds. Any partial and temporary gain from wronging a few creditors must produce vastly larger losses, for "Credit is an *entire* thing. Every part of it has the nicest sympathy with every other part; wound one limb, and the whole tree shrinks and decays." His solicitude was confirmed by the history of our economic progress thus far. Our active capital had increased, but credit was as necessary as before to further improvement of our opportunities. Public credit had been the progenitor of private capital; public and private credit were inseparable. Guard the first by "an upright, stable, and systematic administration," and the second would not be wanting.³⁹ These preachments were not spoken as platitudes; they sprang from his certain knowledge and deep conviction. He himself in what he had helped the country to accomplish had proved their vitality.

Appended tables of the comptroller showed, as of December 31, 1794, domestic debt of \$64,825,538.70; foreign debt owed to France, 14,000,000 livres (\$3 million); on loans at Amsterdam and Antwerp (the guilder at 40 cents) \$12,387,000. By Hamilton's proposals for management of the sinking fund the whole of the existing debt, foreign and domestic, funded and unfunded, would be redeemed by the year 1826. The government was operating in the black, for current expenditure was \$5,481,843.84, and the excess of revenue beyond expenditure was \$1,070,456.90.⁴⁰

Hamilton's final communication to Congress, on his last day in

office, was an addendum to his report on the public credit. He proposed a list of statutory and administrative alterations to promote security and equity in the revenue. The chief was to contract the number of articles rated *ad valorem* for import duties (then yielding one-third of the total) and expand correspondingly those taxed specifically, according to weight or measure.⁴¹ Thus, as often before, his latest advice was for corrections which nothing but trial of his larger plans could have suggested.

Crucial features of the bill embodying Hamilton's plan redeeming the debt were fought in the House by Giles, McDowell, Smith of Maryland, Hillhouse, and more, and in the Senate by Burr and others. Sedgwick, and Smith of South Carolina, were ready defenders in the lower chamber, King in the upper. The opponents suffered a double disability. The hateful debt, the darling of the Federalists, instead of being cherished was now to be put in the way of complete discharge. How could the Democrats antagonize such virtue, though unexpected? When foes made a flanking attack by objecting to continuance of excises (as one means of payment) and called for direct taxes, the dodge was patent. Direct taxes meant land taxes, which the agricultural interest eschewed only more vigorously than Hamilton did.

Therefore it is not surprising that after vain maneuvers the measure passed both branches, carrying Hamilton's great objects with the chief exception of provision for the unsubscribed debt and new emission bills.⁴² Hamilton, when exclusion of nonsubscribers loomed, was grieved and angry. Already some weeks out of the Treasury and off the Philadelphia scene, he entreated Sedgwick and King to retrieve the country's honor by keeping faith with all creditors. He never wrote with more urgency. He was "tortured" by the discrimination.⁴³ "The unnecessary and capricious and abominable assassination of the national honor by the rejection of the propositions respecting the unsubscribed debt . . . haunts me every step I take, and afflicts me more than I can express." He wondered whether he was "a fool—a romantic Quixote" to be so ashamed for the country when others were undisturbed. King should down Burr's "false and horrid . . . subtleties" which threatened to reproach the public character.⁴⁴

If his earnest pleas in his final report when he was on the point of quitting office did not convince critics like Madison that Hamil-

ton was seeking the good of the government, then his exertions afterward, even if known, would not have suggested his sincerity.

Hamilton in his expressions was doubtless overwrought, the result of his deep commitment and intense application at the end of his tenure. Fisher Ames had struggled valiantly for the same Treasury purposes but was more composed; he rejoiced in the substantial victory without despair at the minor defeat. The shape of the bill, he exulted to Gore, "pins fast the funding system, converts the poison of faction into food for federalism; it puts out of the reach of future mobocrats" control of the funds. It is therefore the finale, the crown of federal measures. The triumph was clouded by refusal to embrace the small unsubscribed debt, but "Prudence prevented many of us, who think as formerly, from pressing the right principle, which would have been in vain." Hamilton, however, retired "full of the horrors, on this account."⁴⁵

Hamilton resolved to quit the Treasury because his object "of establishing public credit, and introducing order into the finances" had been accomplished. Party vexations placed in his way persuaded him against further sacrifices. His growing family demanded his support. He intended, on quitting office, to visit Europe,⁴⁶ whence he often received invitations, especially from Mr. and Mrs. Church. He never got to go, for from the moment he reentered law practice in New York he was excessively occupied.

As Hamilton, immediately on appointment, plunged into organization of the Treasury, so on leaving office he was busy to the last moment with proposals for his department's welfare. The President wanted his opinion of a comptroller to be named when Wolcott, on Hamilton's wholehearted endorsement, became secretary. Hamilton had a favorable impression of Washington's candidate (Joseph Habersham, of Georgia), but doubted whether he possessed just the indispensable qualities of "strong sense, . . . clear discernment . . . and prompt decision of temper. . . ." Hamilton vouched for the fitness of Edward Carrington, of Virginia, who should be appointed even though he did not come from the area claiming important office. Hamilton's own reputation was involved.⁴⁷

On his last day he wrote the President of his dissatisfaction with the Mint, which had never been active and could not flourish under part-time direction. At the moment it should be coining silver

bullion to the benefit of the public and private economy. The Mint should be under the Treasury, not the State Department. The Post Office, on the other hand, contributing to communications more than to revenue, should be transferred to the State Department. He suggested dismounting of volunteer horse to save expense, and hoped Indian agents might be distinct from the territorial governors who were to check their dealings.⁴⁸

In few but resounding words he placed among his last acts "the expression of the high sense I continue to entertain of the fidelity and ability with which" the firm of Dutch bankers "have uniformly served the United States." He commended Wolcott, his successor, to their confidence. Then he sent his formal resignation to the President.⁴⁹

This was Saturday. On Monday, Hamilton received from Washington what must be called the top testimonial in American history. It compensated for much he had endured from enemies. "In every relation," said the President, "which you have borne to me I have found that my confidence in your talents, exertions, and integrity, has been well placed. I the more freely render this testimony of my approbation, because I speak from opportunities of information which cannot deceive me. . . ."⁵⁰

A little Treasury business remained. On the final day Tench Coxe, commissioner of the revenue, who in another of his vacillations was now at odds with the heads of the Treasury, forwarded his complaint to Washington. It was that Hamilton had not the authority to charge Wolcott with the duties of the secretary, nor Wolcott to exercise them, when Hamilton was absent on the Western expedition. Returning the papers to the President, when about to leave Philadelphia, Hamilton recommended that Coxe be not assigned to the comptroller's function even temporarily. Wolcott would object and Coxe "would first perplex and embarrass, and afterward misrepresent and calumniate." He went on to explain why neither treasurer nor register could serve without endangering the system of checks within the department; the auditor was fittest for the time being.⁵¹

Hamilton's triumph on leaving the Treasury was too impressive to need eulogy here. In his tenure his ambitions for his country had been remarkably realized. Powerful help he had had, moral, political, and material. But there is no missing the fact that his

energy, imagination, and courage formed the compelling force in the transformation of a few years. History has done him that justice.

Though certain of his last proposals for the public credit were rejected, to his bitter disappointment, more merit was accruing than he himself perhaps knew. His sinking fund, while it owed much to British example, was the first in the world to prove inviolable. By his insistence dedicated, in contract with the creditors, to extinction of the debt, principal and interest, it became the discipline of the legislature and the assurance of the lender. Thus buttressed, the funding system was the source of domestic betterment and the guarantor of foreign financial confidence.

Hamilton's vindication after two inquiries in Congress into his conduct of the Treasury had discouraged such enterprises of the Democrats. His challenge to them to bring forward any further charges had met with discreet silence. Then thorough defeat of the insurrection against the excise had been a reproof of more than attacks on the Treasury. It was the unanswerable assertion of the authority of the central government in what concerned the whole nation. The executive had been patient before acting with decision. The governors and militia of four states had obeyed the President's summons to crush rebellion against a law of Congress, and Washington had led the force toward the disaffected district. The antiadministration party found meager comfort in minimizing the outbreak and insinuating that it had been a welcome excuse for parading national power. But who could justify armed disobedience? Who could impugn motives of the President? In this solemn rebuke Hamilton shared conspicuously.

Thus upheld in his policies, "The intended resignation of the secretary of the treasury is universally regretted," reported a New Englander,⁵² and he doubtless spoke for more than Federalists. Another declared that "nothing could be more unfortunate than Hamilton's resignation. It is to that man's Talents in a great measure" that America "owes its progressive felicity."⁵³ Another, lamenting that Hamilton chose to quit the Treasury, hoped he might be named Secretary of State when Randolph had run his course.⁵⁴

The Common Council of New York granted Hamilton the freedom of the city, which he appropriately acknowledged from

Albany, April 12, 1795, to Mayor Richard Varick.⁵⁵ Not all were sorry to see Hamilton go. Fulwar Skipwith, at Bordeaux, greeted Monroe's arrival in France: "Forced by the impending displeasure of the freemen of the United States, it seems by the last arrival from America that their poisoned bane . . . Hamilton is about to give in his resignation."⁵⁶ A New Yorker was spreading the proposal, first hinted in an Albany paper, that Hamilton would be the candidate for governor if Jay did not return in time for the coming election.⁵⁷ However, Schuyler sent for insertion to Messrs. Webster, printers of the paper (Jan. 5, 1794 [1795]: "In some late paragraphs M^r *Hamilton* has been brought into view, as an Eligible Character for Governor of this state. A friend of his, well acquainted with his Sentiments . . . , thinks fit to assure his fellow-citizens, that it is M^r Hamilton's firm determination to serve in no public office whatever." Public opinion should not be divided by use of Hamilton's name (that is, he was for Jay for the governorship).⁵⁸ A rumor was that Hamilton would enter the House of Representatives in a seat to be resigned by John Watts.⁵⁹

On the personal side, the Churches, in London, would return to America in a year, and wanted to be near the Hamiltons. Angelica asked of Eliza, "do you believe there is a hope of your going to New York to sit for life! . . . I confess I should not like to settle at Philadelphia [much more expensive . . . than in cities of the same size in England] and if my Brother resigns there will then be no reason for my not going immediately to New York and be under his and your care till M^r Church can leave this country."⁶⁰

For months after Hamilton resigned from the Treasury he gladly responded to requests of his successor for advice. He wanted to help Wolcott but also he felt a continuing duty to the credit of the country. The queries were so many and varied that in scanning Hamilton's painstaking replies one feels he was almost discharging the new secretary's more demanding responsibilities for him. One instance may illustrate others. Cruisers of the European belligerents, preying on our vessels in the West India trade, had blocked "some of the usual channels through which we . . . derived our supplies of specie." So "fulfilment of our foreign engagements" became "a perplexing task." All possible should be done to this end "provided you do not go so far as to *endanger Credit at home*. This must at all events be kept sound, since a shock there will be

fatal, while the extraordinary situation of the times will furnish an apology for . . . omissions . . . abroad. . . ." Indeed foreign credit depended on health of our domestic economy. Delay in installments on principal of our foreign debt would not be serious "if the interest is . . . *punctually* paid."

It was out of the question to send specie from this country, since we had a diminished supply. Better let our foreign creditors be paid by Dutch and French authorities who should receive our commodities delivered on public account. "The commodities . . . remitted . . . ought to be most effectually insured and ought to appear authentically as those of the U States sent to pay their debts, on their own account and risk." Nor ought our creditors to suffer from depreciation of assignats. All should be under supervision of our ministers in France and Holland, but it would be useful to send over a clever, trusty agent for the treasury, perhaps William Smith, of South Carolina, or James Watson.⁶¹

The exchanges between Hamilton and Wolcott were full and familiar. Hamilton had closed the letter above with the observation that foreign events might embarrass the Treasury. "If any thing further occurs you shall have it. Write me as freely as you please." A few months later Wolcott supplied Hamilton the supposed identities of leading attackers of the Jay treaty, and went on to confess his own bewilderment: "The public affairs are . . . in a critical state. I do not clearly see how those of the treasury are to be managed. Our foreign resources are dried up; our domestic are deeply anticipated, at least as respects the bank. . . . The prices of all our exports are impaired by paper negotiations and unfounded projects, so that no foreign market will indemnify the shippers. Our commerce is harassed by the war, and our internal revenue unproductive of the expected sums. . . . You know, however, that I shall do the best in my power, and that intimations from you will always be thankfully rec'd."⁶²

Hamilton replied that troubles of the Treasury disquieted him, "for I think we shall . . . weather all storms but those from real deficiencies in our public arrangements." If revenue was likely to prove inadequate, "Congress ought to be explicitly told so, in order to a further provision." If the legislature did not respond, the responsibility was theirs.⁶³

Hamilton advised Wolcott on our proper course where our

vessels with provisions were seized.⁶⁴ Like other promptings, this extended from the fiscal to the political, so that what began as technical assistance to his Treasury successor became broad policy advice to the administration, Wolcott the chief means of transmission. This was agreeable to President Washington, who himself continued to turn to Hamilton for aid, but later was not relished by President John Adams, a Pharaoh who knew not Joseph.

Washington's letters to Hamilton, especially those asking advice on the Jay treaty, were written with his own hand and generally marked "Private." The high value he set on Hamilton's recommendations is patent not only in his warm thanks, but in his entering on further critical discussion of doubtful features. The confidence between them was complete and ran both ways.⁶⁵ When Washington was on the eve of departure for Mount Vernon, he made Hamilton his proxy in guiding if not instructing the Secretary of State on finally closing the treaty. The President, his Cabinet, attorney general and, as he understood, the majority of the Senate considered that if the British accepted our revision of Article XII the treaty need not go before the Senate again for their advice and consent. Washington was disturbed to learn that Hamilton was of contrary opinion. Would Hamilton please write to the Secretary of State (Randolph) his mature reflections? "I have told Mr. Randolph that your sentiments do not agree with those which I received from the officers of government, and have desired him to revise them."⁶⁶ Randolph was soon thanking Hamilton for his explanation on this point, and looked forward to a personal interview when Hamilton came to Philadelphia for the Supreme Court (to defend the carriage tax).⁶⁷

With the President absent from the capital, and conclusive action on the treaty in doubt, clamor against it was furious. Hamilton in New York, shortly after the antitreaty mass meeting in the streets where he was physically assailed, suspected "that our Jacobins meditate serious mischief to certain individuals." The militia of New York, from the complexion of their officers, could not be relied upon. Military in the forts offered the only protection in an emergency, but they were under marching orders. Should Wolcott engage the Secretary of War to keep them at their posts a while longer? Hamilton believed that Washington, when he left for Mount Vernon, intended to ratify the treaty as agreed by the

Senate. Was this still the case?⁶⁸ Wolcott discounted the danger of riots, but assured that the troops would remain at New York. Without naming him, Wolcott suspected the fidelity of his colleague the Secretary of State. Randolph, in Washington's absence, had told Hammond, the British minister, that while the President approved the treaty, he would not ratify unless "some unknown order, respecting vessels bound with provisions to France" was repealed. This was the sense of Wolcott's report. Randolph should not have presumed to put this in the form of an ultimatum. The British must think the worst of us for our delays, with "the country rising in a flame; their minister's house insulted by a mob; their flag dragged through the streets. . . ." He wished Hamilton or King or Jay could come to Philadelphia for counsel.⁶⁹

This very day a calm appraisal of the posture of the treaty by the President would have been posted to Hamilton, from Alexandria, but for accidents. In a later time of instant communications between principals in affairs of state we marvel that, in the eighteenth century, business was ever dispatched between officials separated by a few hundred land miles, not to speak of tedious crossings of the Atlantic. Washington's letter was returned to Mount Vernon by the "bungling postmaster" and then was delayed by deluges that washed out bridges. However, when finally received it brought Hamilton qualified comfort. The President was still of a mind to ratify the treaty unless "something more imperious than has yet happened [should] turn up to occasion a change." He discounted the "present . . . cry against the treaty . . . like that against a mad dog," but when the paroxysm abated he intended to learn "what the real temper of the people is concerning it" before acting definitively. Besides prevalent disingenuous declamation, "many well-disposed men" conceived that the treaty conceded too much on old scores and secured too little in future commerce with Britain. He particularized their arguments, which deserved further exploration.

Meanwhile friends of the treaty and of amity with Britain should be alert to combat the charge of enemies, designed to inflame popular reproaches, that the instrument violated our engagements with France. He was gratified to see defense of the treaty by "Camillus" (which began to appear in the New York *Argus* July 22, Washington manifestly identifying the author). The first

number moved the President to urge that measures be taken to disseminate these papers widely to counter the poison spread in all directions by opposition pieces. He ended with an experienced observation (which did not apply to Hamilton): "The difference of conduct between the friends and foes of . . . good government, is in nothing more striking than that the latter are always working like bees; whilst the former, depending oftentimes *too much* and *too long* upon the sense and good disposition of the people to work conviction, neglect the means of effecting it."⁷⁰

Hamilton went beyond his friend and Cabinet confidant Wolcott, holding that mere remonstrance against the British order of April 1795, preventing neutrals from carrying provisions to France, was not enough. He would send the treaty to our agent in London ratified, with instruction to inform the British ministry that ratification would not be exchanged until the illegal order was rescinded. Even if revoked, our government should protest vigorously against the principle. By exchanging ratifications while the order remained in force we would give it implied sanction. This we could not afford, because we were commercially interested in exemption of provisions from seizure, and must not give "*cause of umbrage to France.*" Further, why conclude a treaty to heal past controversies at the moment of fresh violation of our rights?⁷¹

The next development was the President's announcement in writing to Hamilton (and the Secretary of State learned of it, apparently, through him) that he would immediately ratify the treaty. The necessary forms were on point of completion (August 16). This removed all question of the British provision order as an obstacle to finishing the business. Disappointed that he had not been able to explain to Hamilton personally his course concerning the treaty, Randolph sent a copy of his letter to Jay of this date, which King also should see. In accordance with the President's wish, Randolph prepared instructions to our agent in London directing that our consummation of the treaty was to be withheld while he urged on the British that their provision order be canceled. If refused, our agent should await further instructions. (This did not make repeal of the provision order the absolute condition of completing the treaty, as Hamilton had urged). The President agreed in this, but a few days later he "thought proper to take a course very different from that which he first projected," that is, exchange ratifi-

cations forthwith. With evident reluctance, Randolph acquiesced in this decision.⁷²

Washington's reliance—almost dependence—on his old adviser appears in his application to Hamilton when he knew “officially, as well as from the effects, that an order for seizing all provision vessels going to France has been issued by the British Government. . . .” The treaty was now accepted by us, but this untimely act of Britain disarmed the friends of peace, and played into the hands of opponents. He craved of Hamilton the points on which we should insist when we renewed negotiations with Britain as directed by the Senate in accepting the body of Jay's treaty. He needed Hamilton's ready knowledge for swift completion of instructions. The President had a further wish. “Although you are not in the administration—a thing I sincerely regret—I must, nevertheless, (knowing how intimately acquainted you are with all the concerns of this country,) request . . . of you to note down such occurrences as . . . are proper subjects for communication to Congress at their next session. . . .”⁷³ Hamilton in reply outlined instructions for further bargaining with Britain, promised suggestions for the President's message, and ended, “I beg, Sir, that you will at no time have any scruples about commanding me. I shall always with pleasure comply. . . .”⁷⁴

Soon it was plain that Washington could not do without Hamilton, confiding in him as ever and constantly referring to him grave problems of state. Only the physical distance between them was awkward. The President's need was greater because the original Cabinet had dissolved—Jefferson had resigned long before, Knox and Hamilton recently, and last Randolph had quit as Secretary of State under accusation. The two brought in were able and loyal—Bradford as Attorney General (but he had died August 23, 1795) and Pickering as Secretary of War. Washington put to Hamilton, “What am I to do for a Secretary of State?” He was embarrassed because four in rapid succession had declined the post (Paterson of New Jersey, Johnson of Maryland, C. C. Pinckney, and Patrick Henry). Would Hamilton sound Rufus King? John Marshall chose not to be Attorney General, and objections lay against others who occurred.⁷⁵

Hamilton promptly reported that King would not accept. He felt a delicacy (evidently as proponent of the treaty still under re-

view), but more, he refused to endure the "shafts of calumny" shot by the administration's enemies. Failing such a first-rate character, Hamilton canvassed several of less fitness. He advised the President with as much frankness as knowledge. Four special friends were commended with necessary reservations. Smith of South Carolina, who had been the Treasury's defender in the House, was needed there, but besides, his genuine capacities were offset by flinty temper and reputed pro-British bias. Nathaniel Pendleton (who was to be Hamilton's second in his duel with Burr) possessed fluency and tact, but, contrary to Smith, was "somewhat tainted with the prejudices of Mr. Jefferson and Mr. Madison" concerning whom Hamilton had "afflicting suspicions." Henry Lee would require "a good secretary under him." McHenry "would not disgrace the office" but would add no strength to the administration. However, for Attorney General either Samuel Dexter or Christopher Gore would be a good selection.⁷⁶

In the meantime Hamilton was practically acting as Secretary of State in the limited way of digesting what was transpiring in our foreign relations to determine what the President should report to Congress. Washington sent him executive files "as the groundwork of the superstructure you are to build."⁷⁷ When Hamilton did not return them with summaries and recommendations as requested, the President was alarmed. Perhaps Hamilton had delayed from illness or other demands on his attention, but Washington had no copies at hand, and, if he could not depend on Hamilton, he must himself work them into form for addressing Congress⁷⁸

Hamilton served in an affair which combined the President's personal feelings and his political position. The first of October, 1795, arrived at New York, incognito, George Washington Lafayette, son of the marquis, with his tutor, M. Frestel. They had left France with unofficial permission. They expected that the President would receive them, acting toward his refugee namesake a father's part. This Washington was always eager to do, subject, however, to the advice of Hamilton and other friends mindful of the effect this cordiality would have on the French government and on French partisans in this country. Hamilton was cautious, kept the pair rusticated in New Jersey. The treaty with Britain, then on the carpet, provoked bitter hostility as anti-French. The

marquis was in prison as the foe of the Revolution. Washington himself eyed with distaste "two edges, neither of which can be avoided without falling on the other. On one side, I may be charged with countenancing those who have been denounced the enemies of France; on the other, with *not* countenancing the son of a man who is dear to America."⁷⁹

Hamilton's early inclination was to send the visitors along to the President without ado,⁸⁰ but later doubted "whether at the actual crisis it would be prudent to give *publicity* to your protection of him," fearing "the factions might use it as a weapon to represent you as a favorer of the anti-revolutionists of France; and . . . it would be inexpedient to furnish at this moment any aliment to their slanders."⁸¹ The boy was showing the effects of disappointment, especially when he received a letter from his mother evidently containing an entreaty to the President.⁸² But Hamilton yet urged that Washington, conveying his natural affection, explain that peculiar circumstances must defer open show of his solicitude. The case was not helped when appeared Dr. Justus Erich Bollman who, with help from Hamilton's relatives Mr. and Mrs. Church, had nearly brought off the escape of Lafayette from Olmütz. Hamilton sent him to Washington with notice that, in appreciation of his rescue attempt, he would be given some public employment.⁸³

It was not until April 9 that Hamilton dispatched young Lafayette and his tutor to President Washington, with cordial expressions betraying nothing of the puzzlement that had held them at a distance for six months.⁸⁴ The boy's plea, industriously abetted by Bollman, that Washington aid a further plan for the marquis' liberation, brought fresh vexation. The President confided to Hamilton that while he could not countenance any secret project to free the prisoner, he would, "as a *private person*," appeal to the emperor of Austria to release the marquis on condition that he come to America. Washington would send his letter to Pinckney, our minister in London, and he should forward it or not, depending on what he gathered from diplomatic circles there. Would Hamilton or Jay draft such a letter? For the redoubtable Dr. Bollman, Washington could do nothing beyond the suggestion that American friends of Lafayette would doubtless contribute a sum to enable him to quit this country.⁸⁵



Reentry into Law, and Farewell for Washington

IN the interval between quitting office and resuming active law practice, while Hamilton was visiting the Schuylers at Albany,¹ his old friend Troup tried to enlist him in land speculation in Ontario County. Troup was "embarking" with English and Dutch capitalists to buy several million acres. He hoped that Hamilton and Jay, like himself, would serve in an advisory capacity. "Why should you object to making a little money in a way that cannot be reproachful? . . . Be assured that the hard earned profits of the law will wear you out, and leave a net residue at the end of ten years that will not maintain a family with decent economy. . . ."² A few weeks later Troup, on behalf of the promoters, was ready to pay Hamilton £100 as a retainer. He ardently wished that Hamilton would acquire the means of independence "in spite of all your efforts to be poor. . . . I have often said that your friends would be obliged to bury you at their own expence." It is not clear how Hamilton was to get rich in the project. He did not have money to invest. He would not be given much stock for purely legal work, and purchase of his prestige and influence seems ruled out by Troup's assurance that Hamilton (and Jay if he became governor) could participate *sub rosa*.

The incident illustrates Hamilton's preference for public and professional as against private business pursuits. No longer in office, he was at liberty to embrace the opportunity that Troup

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held out to recoup his fortunes by combining law and speculative enterprise. If he was so much the exponent of profit making as has often been represented, would he not be drawn to benefit personally by activity which he coveted for others? Dutch and English investors had every reason to value and, as they might consider, reward him. No, Troup was accurate in his conviction that his friend was resolved to devote himself to public objects and remain poor. At this juncture Hamilton was justifying his administration of the national finances, and throwing himself into defense of the treaty Jay had negotiated with Britain. We must suppose that these absorbed his energies, and likely he felt public advocacy was incompatible with private acquisition of the sort which Troup urged. At his death he did hold Western lands, but it does not appear that he got them through this scheme, and they yielded nothing in his lifetime.

A few months after Troup offered to forward Hamilton's financial prospects, Hamilton agreed that his debts probably exceeded his property; if he should die then he would leave his family "to the benevolence of others." As his correspondence shows, he was suffering a period of ill health. But, as will appear below, he had special reason for surveying his affairs, which, in event of his death, he committed to Troup. He listed his "few creditors." His brother-in-law, John Barker Church, was the chief (for about £5000); to others, one a wine merchant in Philadelphia, he owed small sums. The detail of his obligations shows that the reason he assigned for quitting the Treasury—that he needed to recruit his income to support his growing family—was the exact fact.³ Enemies ascribed his departure to loss of political credit; some rumored that he left office rich in pocket. In a postscript he pointed Troup to "my leather trunk" which "contains all my interesting papers." Among these was "a bundle inscribed thus—

IR

To be forwarded to Oliver Wolcott, Junr Esq.

I entreat this may be early done by a careful hand."⁴

These were surely the records relating to James Reynolds ("I" for "J"), of the contents of which only Wolcott, among his friends, had prior knowledge.

On return to law practice in 1795, with additional fame for his

service in the Treasury, Hamilton found eager clients waiting. Indeed, as soon as it was noised that he was quitting office, litigants applied.⁵ His old friend Judge Richard Peters started him off with a legal commission and best wishes; "as to money . . . you will pick that up fast, owing to the Enmities & not the Friendships of your Fellow-cits."⁶ Low came with high, one from an amusing source. James Hardie, in jail in New York, met there William Duer, who assured him "no action can lay against me."⁷

Hamilton was often associated in cases with Troup, Harison, Brockholst Livingston, and, for that matter, Aaron Burr, but seems to have had no partner in law practice, though several were recommended to him. When Hamilton entered public office, Troup took over his pending suits. Judging from references in his papers, Balthazar DeHeart was his confidential office manager.⁸ How much in professional fees Hamilton sacrificed when he let his practice lapse to become inspector general for two years is illustrated by the effort of Richard Stockton to engage him in a case. Stockton's clients wanted Hamilton to argue an important equity cause in Circuit Court in which they were complainants. "I need not tell you that they have great reliance on the aid they are to receive of you, and that the compensation you shall deem adequate will be ready" if Hamilton agreed. Stockton would furnish him with all the papers.⁹

One of the few criminal cases in which Hamilton figured as counsel was sensational, that of the *People vs. Levi Weeks* in the spring of 1800. Hamilton was with Aaron Burr and Brockholst Livingston for the defense of Weeks, indicted March 28 for the murder of Gulielma Sands shortly before Christmas. The foreman of the grand jury was Archibald Gracie, and among members were Henry Rutgers and Francis Lewis, Jr. On the bench in the City (formerly Federal) Hall were Mr. Justice John Lansing, Mayor Richard Varick, Recorder Richard Harison, and Alderman Robert Lenox who was Justice of Oyer and Terminer. Assistant Attorney General Cadwallader D. Colden was prosecutor.

The body of Gulielma, who apparently was promiscuous with her numerous suitors, was found in one of the wells of the Manhattan Company,¹⁰ fully clothed and with no wounds other than a few abrasions. Young Weeks (brother of Ezra who later built

Hamilton's Grange house) was among several men boarding in the home of a Quaker couple, Elias and Catharine Ring, in Greenwich Street. Gulielma Sands was their niece. Weeks was accused because it was testified that he had been heard talking with the girl in the hall of the Ring home just before her disappearance. He pleaded not guilty. Beginning March 31, no fewer than thirty-two witnesses appeared for the defense, twenty-three for the prosecution. Hamilton was assiduous in examining these witnesses; at one point he went with Lansing and Colden to the sickroom of Elizabeth Watkins to take her deposition for the defense. He drove home to the jury repeated admissions that none had actually seen the prisoner in company of the girl on her last night. The second day of the actual trial, April 1, the court sat so late that jurors complained they were too sleepy to attend to the evidence. Before adjournment was taken to next morning, a candle was brought to the witness box where sat one Richard Croucher, an unsavory character hostile to the defense. This gave rise to the story that has come down through the years that Hamilton in a dramatic gesture held tapers to each side of Croucher's face to let the jury see his embarrassment under grilling cross-questioning. Croucher was himself suspected of the crime. No doubt Hamilton was perfectly convinced of Weeks' innocence. The jury, out only five minutes, returned a verdict of not guilty.¹¹

Wills and agreements Hamilton drew, involving institutions which have survived into the present, have withstood attempts to alter stipulations as he embodied them. The will of Captain Robert Richard Randall, 1801, leaving properties in what is now the Washington Square area of New York to a home for retired mariners (Sailors' Snug Harbor), was unsuccessfully contested all the way to the Supreme Court, with Daniel Webster of counsel. The legislature approved Snug Harbor as a public corporation with principal municipal and state officials and senior clergymen of the Episcopal and Presbyterian denominations as trustees. The mayor almost 150 years later wanted to be relieved of serving what he said had become a wealthy real-estate enterprise, but without avail. The only trustees released were public functionaries whose offices (chancellor and recorder) were in the course of time abolished.¹² Hamilton, with Richard Harison and Robert Troup, 1797 and

later, gave the opinion and advice for erecting St. Mark's in the Bowery as a parish separate from Trinity, which had not been contemplated in the charter of the latter.¹³

Hamilton declined to be attorney in a case involving the Fairfax estate, explaining to his intending client, "It not being my general plan to practice in the Supreme Court of the US."¹⁴ However, a few months before, at request of the government,¹⁵ he appeared with the attorney general in the Supreme Court to defend the constitutionality of the tax on carriages. As early as 1783 in a list of "Objects for taxation" he included coaches, chariots, and other fourwheeled pleasure vehicles at rates from £10 down to £5.¹⁶ A decade later as Secretary of the Treasury he recommended such taxes and they became law June 5, 1794.¹⁷ Embraced were carriages of all classes kept for the owner's use or for hire or to convey passengers, but those employed in farming or for transporting commodities were exempt. Rates were from \$10 for a coach down to \$1 for an open gig. Owners must make declaration, and incur penalties for false returns in addition to those for nonpayment.

Madison had opposed the carriage tax as unconstitutional because a direct tax and not apportioned according to representation.¹⁸ Following his lead some in Virginia, probably as much from political opposition as from legal scruple, refused to conform.¹⁹ Daniel Hylton, of that state, brought suit; John Taylor, his attorney, when the circuit court was equally divided, "advised the defendant to make no further argument and to let the Supreme Court do as they please. . . ." His object, Attorney General William Bradford thought, was by publishing his speech to encourage further resistance and, by refusing to appear on writ of error, to take off from an adverse decision of the Supreme Court because not rendered on full argument. If Hylton persisted in Taylor's advice, Hamilton's services would not be needed.²⁰ However, Bradford was successful in blocking this maneuver. Hylton, the defendant, by agreement of the parties confessed judgment as foundation for the writ of error simply to test constitutionality of the tax. Hamilton, with Charles Lee, the Attorney General of the United States (Bradford had recently died), argued the government's case in the Supreme Court February 24, 1796. Against them for the plaintiff were Alexander Campbell, attorney of the Virginia District, and Jared Ingersoll, attorney general of Pennsyl-

vania. In Hamilton's account book it is recorded that May 10, 1796, he received \$500 from the "United States for attendance on Philadelphia [and] for a fortnight's work in arguing the question of the Constitutionality of the Carriage Tax."²¹

His speech, with a distinguished audience in attendance, required three hours. Judging from his notes, he found no reliable distinction, legal or economic, between direct and indirect taxes. It was "matter of regret that terms so . . . vague in so important a point are to be found in the Constitution." It was not possible to call an indirect tax one ultimately paid by a person different from him who paid in the first instance. An import duty was the likeliest example, but perhaps it could not be shifted; further, one who imported for his own use paid the tax first and last. The same tax could not be both indirect and direct. Nor would it do to say that an indirect tax is paid unconsciously, for the reflecting man sees the tax incorporated in the price. The Physiocrats and Locke would call only land taxes direct, but it seemed reasonable to include in this category taxes on buildings, polls, and personal property.

In any event, "no construction ought to prevail . . . to defeat the . . . necessary authority of the government. . . . a duty on carriages . . . is as much within the authority of the government as a duty on lands or buildings." If a carriage tax was considered direct, to be levied only according to representation, absurd consequences must follow, for a state with large population might have relatively few carriages. If a tax on carriages was direct, that on ships according to tonnage was also. But the latter was not apportioned. It was enough if it be uniform as, under the Constitution, with other duties, imposts, and excises. So with the carriage tax, which in British statutes was held to be an excise and indirect. Where the Constitution made a distinction between taxes (direct and to be apportioned), and excises (indirect, to be uniform) it was "fair to seek the meaning of terms in the statutory language of that country from which our jurisprudence is derived."²² Chief Justice Ellsworth, just sworn in, and Justice Cushing, who had been ill during argument, took no part in the decision. Justices Chase, Paterson, and Iredell all held with Hamilton that the carriage tax, a circuitous means "of reaching the revenue of individuals, who generally live according to their income," was not

direct. It was properly an excise, constitutional so long as uniform, and need not be proportioned to population of the several states. Paterson in justification quoted Adam Smith's *Wealth of Nations* where he approved levies on "consumable commodities" as fairly measuring capacity to pay. All agreed with Hamilton that framers of the Constitution intended Congress should have power "over every species of taxable property, except exports." This was the first case in which the Supreme Court passed on the constitutionality of an act of Congress.²³

Since then a multiplicity of federal levies have been covered by this rule, though the income tax, held unconstitutional a century after the decision Hamilton helped obtain, finally required an amendment to validate it. Even this illustrated Hamilton's principle that the authority of Congress to collect revenue was sovereign.

Hardly had Hamilton returned to the sidewalks of New York when he was embroiled there in a near duel with Commodore James Nicholson. The fourteen documents telling the story until recently lay unnoticed among the papers of Hamilton's faithful friend Nicholas Fish.²⁴ The quarrel is worth recounting because, though it stopped short of shots, it anticipated the deadly difference with Burr nine years later. An ironical feature was that Nicholson, now the bristling antagonist, had served as commander of the symbolic ship named in Hamilton's honor which headed the parade celebrating New York's ratification of the Constitution. The rapid correspondence, sometimes several notes a day passing back and forth between challenger and challenged, took place in July, 1795. The background of the dispute was political. Commodore Nicholson, the father-in-law of Albert Gallatin, was a strong adherent of the party that before long ousted the Federalists. Nicholson's seconds, DeWitt Clinton and Brockholst Livingston, were of the same persuasion. Hamilton's representatives were the stout Federalists Rufus King and Nicholas Fish. But we must rehearse the little drama played out by this all-star cast.

Hitherto it has been supposed that the near duel arose from Nicholson's rumor that Hamilton had used his tenure in the Treasury for his own enormous enrichment and had secreted his gains in British consols,²⁵ or that heats engendered by the fight over the Jay treaty were the cause.²⁶ Certainly Hamilton's relations with

Nicholson could not have been improved if Nicholson sped on its way a newspaper charge that Hamilton in the Constitutional Convention had been a monarchist. Nicholson, according to anonymous report to Hamilton, had his information from Abraham Baldwin, who had been a member of the convention. Hamilton had moved for a government of King, Lords, and Commons, Gouverneur Morris had seconded him, and when the motion failed Hamilton quit the convention in disgust, though he later returned. Nicholson's remarks were said to have been made, in the hearing of others, to Leonard Bleecker.²⁷

From the notes that passed between the principals, through their seconds, it appears that on Saturday, July 18, 1795, Hamilton interposed in an altercation between Nicholson and Josiah Ogden Hoffman. The latter was a Federalist lawyer, some ten years Hamiltons' junior. The place must have been a public one, for Hamilton in a statement of circumstances said he intervened "to prevent the continuance of a controversy which might lead to disturbance & riot." Later in the same submission of facts Hamilton observed "that was not a place for altercation" nor was it a "fit occasion." The reference to disturbance and riot imply that Nicholson was quarreling with Hoffman in the street. Hoffman may have been with Hamilton, else Hamilton would not have heard enough of the controversy to become involved, even as a peacemaker. On the other hand, New York political partisans were at such daggers' points that Hamilton may have needed to hear little in order to understand a dispute between protagonists.

In any event he tried to calm both Nicholson and Hoffman, and it was not denied by the commodore that the expressions Hamilton used were intended to apply equally to himself and to Hoffman. However, according to Hamilton, "Mr Nicholson replied very harshly . . . that he [Hamilton] was not the man to prevent his quarrelling[,] called him an Abettor of Tories and . . . Mr Hamilton would not pursue the affair for he had declined an interview upon a former occasion."

From this point on, Hoffman was forgotten. Hamilton immediately resented Nicholson's slur on his honor, and replied that "no man could affirm that with truth & . . . pledged himself to convince Mr Nicholson of his mistake." We do not know to what previous occasion of Hamilton's declining a challenge Nicholson

referred. Later Nicholson did not remember saying this. Many challenges were not followed by duels, for the challenged might apologize or do so in effect, generally friends arranging the accommodation. Such a transaction, imperfectly known to a third party, might tempt to the charge of cowardice, though whoever reported the peaceable end of the affair took a good deal on himself to impugn either man's honor.

The next day, Sunday, seems to have passed as a cooling-off period, but it was not long enough, for on the Monday Hamilton sent his friend Colonel Fish to Nicholson with a challenge in Fish's hand: "Sir[:] The unprovoked rudeness and insult which I experienced from you on Saturday leaves me no option but that of a meeting with you, the object of which you will readily understand. I propose to you for the purpose Paulus Hook as the place and Monday next eleven o'clock as the time. I should not fix so remote a day but that I am charged with trusts for other persons which will previously require attention on my part." Fish would accompany Hamilton to the ground. It was a part of the code to keep the intended meeting absolutely secret, which meant that both principals must appear normal in their most intimate relations.

Commodore Nicholson answered briskly later the same day in his own hand. He would not decline the invitation of Mr. "Hambleton," as he insisted on writing the name. Moreover, the "peremptory tenor" of the challenge precluded his discussion of the merits of the controversy. In fact, he must "intreat" that the time of the interview be no farther postponed than the next morning, for the visit of Fish had so alarmed Nicholson's family that he feared interference from that quarter.

Hamilton sent his reply at once, but discretion now tempered his valor. If he was to judge from Nicholson's note that Nicholson could explain his remark "on a certain very delicate point . . . I think it now due to a reasonable course of conduct to say that I do not decline" such an explanation "if you see in the original transaction room for it." Hamilton could not hasten the day of their meeting for reasons previously given; he hoped it would be easy for the commodore to quiet the alarm in his family.

Nicholson rejoined the next day, Tuesday, July 21. He did not admit that Hamilton's charges were well founded, and sought to throw blame on him. "The precipitation of your conduct in

giving a challenge before requiring an explanation must render you responsible for the consequences." He again objected to "procrastination" that might allow the business to reach the public ear.

Late that afternoon the Nicholsons had a visit from a lady "of our [evidently mutual] Acquaintance," who frequently tried to get Mrs. Nicholson alone in the garden. The commodore guessed her errand, foiled her intended confidences, and ushered her home, but was left with "no doubt . . . she came to Alarm my family of what was likely to take place." This was told to Hamilton in a note penned at half-past five of Wednesday morning. The commodore had risen early to demand of Hamilton that they meet within a few hours at a place their seconds could agree upon.

Who the mysterious lady was is anybody's guess. Mrs. Hoffman? She may have felt a compunction that her husband's quarrel with Nicholson had drawn Hamilton into danger, and considered that Nicholson might be brought to retreat if his family was informed. Angelica Church, Hamilton's spirited sister-in-law, had the wit for such a maneuver, but she was abroad at this time, and anyhow she did not prevent her husband from fighting numerous duels. If Nicholson's suspicions were correct, some woman of their circle was not willing to see these two able men make fools of themselves if she could prevent it in the only way open to her.

Hamilton got his reply to DeWitt Clinton, acting for Nicholson, at ten o'clock that morning. He had not meant to open a new discussion, nor had any friend of his taken the initiative in that direction with his knowledge. However, "Measures it is true towards an accommodation have been subsequently in train but I have had no other agency in the affair than that of meeting them . . . in a liberal & Gentleman-like manner." He repeated that he could not move up the date of the encounter, and had an implied poke at Nicholson's feared inability to quiet alarms in his family.

Nicholson answered a few minutes after his second, DeWitt Clinton, delivered the above note from Hamilton. His delicate honor expostulated against the suggestion that *he* directly or indirectly had commenced a peace move. Doubtless the friends of both, "with nothing but honourable intentions on both sides," were proposing an agreement. Nicholson professed himself still eager for the earliest date of meeting. Hamilton had suggested some

place near Paulus Hook in order to be outside the jurisdiction of New York. Apparently the preparations to go there would excite Nicholson's family, but he would abide by the choice of the seconds.

The source of the armistice plan is probably revealed in a brief note of this same date, Wednesday, July 22, at six o'clock in the morning from Udny Hay to Colonel Fish, requesting "an interview with him as soon as possible, Mr. Clinton being Absent." Did this mean that Clinton, who would normally act for Commodore Nicholson, could not be reached, or that he was not to be present at the interview between Hay and Fish? Hay added his address, 68 John Street. Hay had seized his pen almost as early as Nicholson was astir that morning, and Hamilton and Nicholson both knew of what was going forward.

Negotiations between friends of the disputants must have been oral and ostensibly behind their principals' backs for the next two days, Thursday and Friday, July 23 and 24. No more missives passed, so far as the collection shows, until Saturday the 25th, when DeWitt Clinton wrote to Fish, saying that "Some circumstances render it expedient in Mr. Nicholson's mind that Mr Hamilton and he should each be attended by two friends on Monday next." If not perfectly agreeable to Hamilton it would not be insisted upon. We wonder why the dueling party was to be enlarged to six, plus perhaps a surgeon or two. As it turned out, the inclusion of Rufus King in Hamilton's corner and Brockholst Livingston on Nicholson's behalf doubtless facilitated an understanding between the main contestants. They had not been the active, message-carrying deputies, and were perhaps of the contingent that had been arranging for peace.

However, matters seemed serious enough to prompt Hamilton that same day, July 25, 1795, to make his will in the form of a long letter to his old friend and brother attorney Robert Troup, whom he made executor.²⁸ "I might have dispensed," he said, "with the ceremony of making a will as to what I may myself leave, had I not wished that my little property may be applied . . . readily and . . . fairly . . . to the benefit of my few creditors. For after a life of labor I leave my family to the benevolence of others, if my course shall happen to be terminated here." He had quit the Treasury a poor man—"I hope what I leave may prove equal to my debts." His listing of them summed up to about \$30,000.

He had arranged a preference to only one creditor, Nicholas Fish, who we know was one of his seconds in the impending duel with Commodore Nicholson. The amount was small, but Hamilton wanted "to secure him in this mere act of friendship from the possibility of loss. . . ." He was pained not to make a preference for drafts drawn on him by his father, James Hamilton, for \$700, "lest they should return upon him and increase his distress." But these were a "voluntary engagement," and he "doubted the justice" of putting them ahead of other commitments. His brother-in-law, John B. Church, was by much his largest creditor, and Hamilton hoped that Church, rich and his generous friend, would accept any net loss from settlement of the estate. The list of his few assets and larger liabilities refutes explicitly the rumor set afloat by Nicholson that Hamilton had secretly invested £100,000 in the British funds.²⁹

As early as Monday, July 20, the day of his challenge to Nicholson, Hamilton had written out a statement, endorsed by Fish, "Substance of what is required from J.N." It was his demand based upon his account of the circumstances, undated, but evidently penned just previously. The apology was redrafted, in Hamilton's hand, in a shorter form (again no date) to the same effect but less specific in its retractions. This became the admission of Nicholson, a copy in Fish's hand, with slight verbal corrections in Hamilton's, being endorsed: "Sunday Even^g July 26, 1795 The above declaration was made by Commodore Nicholson in presence of M^r King, M^r B. Livingston, M^r Clinton & myself N.F." It reads:

"Mr Nicholson declares that the warmth of the expressions which he recollects to have used to M^r Hamilton proceeded from a misapprehension of the nature of his interposition on [in] the alter[c]ation between M^r Hoffman & M^r Nicholson[,] that as to the suggestion alleged to have been made by M^r Nicholson namely that M^r Hamilton had declined a former interview he does not recollect and is not conscious of having made it neither did he intend the imputation which it would seem to imply and that if he did make the suggestion he regrets the pain which it must have occasioned to M^r Hamilton."

Of the same date, the night before the duel was to have taken place, is the final paper in the series. It is in Clinton's hand and is

signed by him, King, Brockholst Livingston, and Fish. It is a single sentence: "The subscribers having been made acquainted with the correspondence between M^r Hamilton and M^r Nicholson relative to a controversy that took place between them on Saturday before last do hereby certify that the same has been settled in a satisfactory and honorable way to both the parties."

The Farewell Address, one of the most influential of American state papers, was the joint product of Washington and Hamilton. Hamilton's was the lesser rôle, but important if only because he furnished the form of words which conferred additional merit on the thoughts. Where so many might be cited, this is the supreme example of collaboration of the two patriots. Here their views were identical and proceeded from experience which they had shared for twenty years. Their agreement was far more than verbal; it was in political wisdom and moral purpose. In numerous instances of combined authorship the part of each had been fairly distinct, Hamilton generally supplying the particulars especially where these were of a technical nature. In the Farewell Address they worked together over both principles and expression.

Examination of the manuscript documents and of elaborate studies of origin and construction of this celebrated paper⁸⁰ lead to the following summary conclusions:

The main admonitions were Washington's, and he also revised (amended and condensed) Hamilton's composition at several stages, including the latest. While Hamilton introduced his own heads of argument and embodied the whole in noble language, it is rightly known as Washington's legacy to his countrymen. As always, save to his wife, Hamilton never identified his contribution, nor did he detract in the remotest degree from the acclaim given to Washington for the production. The correspondence and drafts spoke for themselves, but they were preserved like any other files. Indeed, even in letters to Washington, Hamilton took pains to allude to the project in terms so general that knowing men, later, doubted whether the references were to the Farewell Address.⁸¹

When both were dead, friends of the two, jealous for Washington's fame, hid evidence that revealed Hamilton's agency. They said truly that he would have done the same. Their precaution, itself presumptive of Hamilton's share, was increasingly gratuitous

with the passage of time. First, because history makes its own claim. Second, men like Rufus King, Nathaniel Pendleton, John Marshall, John Jay, and Richard Peters, all of them not less attached to Hamilton than to Washington, should not have frustrated or deprecated the affecting efforts of Mrs. Hamilton and her sons to possess themselves of papers which Washington would have been the last to withhold.³²

When Washington first framed the Farewell Address, in 1792, Hamilton was not concerned in it. On the contrary, Hamilton begged Washington to reconsider his decision to decline reelection to the Presidency, observing that he might quit after a year or two of his second term if he chose.³³ Washington's collaborator in 1792 was Madison, who with his friend Jefferson was out of sympathy with leading policies of the administration and at first opposed no obstacle to the President's retirement. In his revision of Washington's paper, entirely verbal, Madison's inhibitions were evident. What Washington had put with simple sincerity, Madison made indirect, cautious, apologetic to the point of false modesty. Madison did not write from the heart but from an apprehensive mind. Of course, since Washington yielded to reelection, nothing came of drafts of his Farewell at that time. Four years later, when the project was revived, Madison was not involved except in a wry way. Washington wished to rebuke Madison for his, by now, open hostility. He thought of mentioning Madison by name, as a defamer of the administration who yet knew all along that Washington yearned for retirement, not for unconstitutional power. This mention would tend to scotch the insinuation, which Washington expected, that he never thought of quitting except from "conviction of fallen popularity, and despair of being re-elected. . . ."³⁴ Fortunately the President thought better of this, but he did submit Madison's language to Hamilton for possible critical reference.

John Beckley, ever full of anti-Federalist suspicions and reports, had a friend who "extracted" from Hamilton in early summer 1796 "that the president [Washington] does not mean to resign, but merely to decline a reelection, and that to make known his intention, he designs about the month of August to publish an address to the people. We may presume whose pen will indite it, and what . . . principles it will . . . propagate; happily however the con-

trol of events is less within the power than the wish of the American Catiline. . . ." He guessed that the valedictory would anticipate Federalist success in the national election, "which taking a contrary issue . . . may wholly frustrate a well schemed object."³⁵ The little pitcher with big ears comically underrated Washington and Hamilton, for the address which is a monument to both is the work of patriots, not partisans.

The President asked Hamilton to prepare two versions of the Address: (1) a revision of the original Washington-Madison draft; (2) a new composition, though built on Washington's substantive recommendations. Hamilton, preferring the last, completed and submitted his fresh document. He worked from his own full "Abstract of Points to form an address." Some days later he sent his reworking of what Washington and Madison had done in 1792,³⁶ but this was discarded. John Jay, at the President's desire, had a small advisory part in the final Farewell Address, but he wrote none of it and he figures in the story chiefly for his faulty knowledge or memory, a generation later, of what had happened.³⁷

Perhaps a good test of one's greatness is ability to write consciously for posterity and not be sententious or pontifical. Washington had an unselfishness that reflected itself in forthright language. This trait was not so ubiquitous with Hamilton, though his consuming desire was always the national strength, safety, and prosperity. Not only was he a practiced writer, animated by his own good will, but in this instance he was putting down words that would be attributed to Washington, whose manner he knew perfectly. Moreover, he was drawing on main advocacies long familiar to him from the period of the Revolution, of the Constitution and *Federalist* papers, and of his Treasury reports. He had turned these ideas in his mind until he was capable of voicing them with precision and eloquence. He had fined his—and Washington's—political principles as the designer of a clipper ship smoothed his model to flowing perfection.

Sending to Washington the first draft of what became the Farewell Address, Hamilton observed that it had been his "object to render this act importantly and lastingly useful, and . . . to embrace such reflections . . . as will wear well, progress in approbation with time, and redound to future reputation."³⁸ This proved to be true of the final version as delivered by Washington because

it spoke the blended wisdom of these two gained in the momentous period of the government's infancy. The words took on the quality of American political axioms as no others did. We may contrast this paper with others on the theme of union which were the work of Hamilton alone. His letters during the Revolution to Duane and Morris were arguments pointing hopefully to future events. His report of the Annapolis Convention was a sharper indictment of the lacks and lapses under the Confederation. His speech in the Philadelphia Convention was his extreme plan for a consolidated constitution. His *Federalist* papers enlarged upon the virtues of the fundamental law offered to the people. But the Farewell Address had a lasting advantage over earlier statements which were necessarily prospective. Here was a considered report on the actual tests of the Constitution during the first seven years. This was not aspiration or hypothesis, but the telling result of experience. It registered knowledge dearly bought in the national laboratory. It conveyed the realism of the short plea struck off at Annapolis, except that now, instead of denouncing a demonstrated failure, the purpose was to preserve a splendid success.

The generation which received the Address easily read between the lines references to controversies which later dropped from memory, leaving the proverb but not the parable. If we are to recapture the inducements to the document as it was written, we must remind of the domestic dissensions and foreign perplexities which informed the rich advice. The growing pains of government consisted of the antagonism of parties. These conflicts were a compound of geographic interests, internal national policies, and overseas affinities. North versus South, West versus East; central responsibility against local prerogative; American independence as contrasted with menaces and blandishments of warring powers in Europe—these were the stuff of which the Address was made. A passionate era was compressed into affectionate, solemn recommendations. Every paragraph pointed the blessings of harmony at home and example to the world of disciplined freedom, "a people always guided by an exalted justice and benevolence."

The Address itself calculated upon "the course of time and things." But prescient as the patriot was, may we expect him to have a prescription for developments a century and a half after he was "consigned to . . . the mansions of rest?" It is notorious

that Washington (and Hamilton not less) vested his solicitude in the independence of his nation. "The great rule of conduct for us, in regard to foreign nations, is . . . to have with them as little *political* connexion as possible. . . . It is our true policy to steer clear of permanent alliances with any portion of the foreign world. . . . inveterate antipathies against particular Nations, and passionate attachments for others, should be excluded" in favor of "amicable feelings towards all."³⁹ Has "Our detached and distant situation" been so far forfeited by the shrinkage of the globe that, to preserve our own, we must "stand upon foreign ground?" Has the political and cultural, and hence military, unit changed to be hemispheric? Must we abandon "trust to temporary alliances for extraordinary emergencies" to embrace indefinitely a desperate international alignment?

As these lines are written many are ready to say that the wisdom of these fathers of the eighteenth century could not extend to the twentieth; their microcosm could not be so expanded. Hence America is compelled to depart from, practically to dishonor, their advice. And yet, is there no wisdom of the ages? Does technology control virtue? Perhaps we may still, with reverent approval, "Observe good faith and justice toward all Nations; cultivate peace and harmony with all. Religion and Morality enjoin this conduct; and can it be, that good policy does not equally enjoin it?"

A subordinate but connected question, arising directly from Hamilton's counsel as embodied in the Address, concerns fiscal thrift versus deficit financing. Hamilton begged, "Cherish public Credit as a means of strength and security. As one method of preserving it, use it as little as possible. Avoid occasions of expence by cultivating peace. Avoid the accumulation of debt[,] . . . not transferring to posterity the burthen which we ought to bear ourselves. Recollect that towards the payment of debts there must be Revenue, that to have revenue there must be taxes . . . which are . . . more or less inconvenient and unpleasant."⁴⁰

It may be that the rôle of the federal government which Hamilton himself projected has called for borrowing forever in excess of tax revenue. Perhaps the public debt has become a beneficent instrument of economic control. Cataclysms different in origin and magnitude from any Hamilton could envision compel the prodi-

gious use of collective credit. He held the debt to be of economic and political service while we were weak, but struggled, as we became able, to reduce it. Can it be that debt has a permanent office now that we are so advanced? He would not approve the complacency with which we revalue the currency by statute, and liquidate claims in proportion to inflation. His espousal of governmental management of the economy, while lively for his day, did not extend so far. Integrity in the Treasury was his abiding rule. No modification of debt, however beneficial in legislators' view, was to be executed without consent of the creditors. We may assume that he would have agreed in the acceptance of novel and major responsibilities by the federal government in the great depression of the 1930's but that when prosperity and peace were restored he would have insisted on debt contraction.

We need not dwell on the (for that day) swift dissemination of the Farewell Address and the acclaim it received from most editors and from numerous public bodies which responded. Yet McHenry, reporting at Washington's request, did not conceal that "The enemies of the government . . . discovered a sullenness, silence, and uneasiness, that marked . . . chagreen and alarm, at the impression it was calculated to make on the public mind."⁴¹

Mrs. Hamilton recorded that her husband wrote Washington's Farewell Address, expanding the heads of topics which the President had sketched in. Not wishing to detract from Washington's reputation, her declarations were not to be published in her lifetime. When eighty-three, she made a signed, witnessed statement that shortly before Washington quit the Presidency, Hamilton suggested to him the idea of such a benediction. Washington was pleased, listed the subjects on which he would wish to remark, and asked Hamilton to prepare the paper. He wrote in free intervals in his office, "at which times he was in the habit of calling me to sit with him, that he might read to me as he wrote . . . to discover how it sounded upon the ear, and making the remark, 'My dear Eliza, you must be to me what Molière's old nurse was to him.'"⁴² So she witnessed the work. Washington struck out only the small part referring to schools, Hamilton made the alteration, and it was "delivered by General Washington, and published in that form" She remembered the circumstances perfectly, and gave further particulars.⁴²

Six years later, after she had moved to Washington, happening to be at the Capitol she called on the Librarian of Congress to confide a similar account to him. She added that "Gen. Washington had consulted Mr. Madison about it, who prepared a paper that did not suit him. He then consulted Mr. Jay, . . . but the General was not satisfied. He then wrote to my husband, and sent him what had been written. . . . my husband read them to me, and said he could do nothing with them, but that he would undertake to prepare a different one." She reiterated this was "a secret, about my husband, and you must not tell it until I am gone."⁴³

John Beckley, scanning the political scene prior to the national election of 1796, was certain that if no great schism happened in Virginia, Jefferson and Burr would be chosen. He reported that Hamilton "admitted . . . there may be a state of things in which it would be desirable that Mr. J should be elected without opposition. . . ." Beckley conjectured this was because the Southern states would never consent to our declaring war on France, and if France declared war on us (which the Federalists believed inevitable), "Mr. J's influence could alone preserve the Union, and produce a favorable termination of the breach. . . ."

However, Beckley could scarcely credit this magnanimous willingness of Hamilton to prefer his mortal enemy for a war President. Though "Hamilton himself industriously propagates that Adams and pinckney are [the Federalists'] choice," Beckley projected a different event: "Quere: May not Strong & Cabot design to become electors, and if a suitable election prevail thro' Massachusetts, to suddenly nominate & by their influence carry Hamilton in that State? Rh. island, Vermont, Connecticut, New York, New Jersey, & Maryland, would all probably follow . . . unanimously. Some late indications seem to warrant the suspicion." Therefore every effort must be made to preserve Virginia solid for the Republicans.⁴⁴

John Adams, some years after Hamilton's death, approved the charge of Cobbett that "All Parties affected to regret the loss of Washington, but none were truly Sorry." The fact was, said Adams, that "one party acquiesced in the resignation of Washington because they believed it a step towards the introduction of M^r Jefferson, and the other because they thought it an Advance toward the election of M^r Hamilton who was their ultimate Object." This led to a characteristic reflection: "As both parties despaired of ob-

taining their Favourite, Adams was brought in by a miserable Majority of one or two votes, with the deliberate intention to sacrifice him at the next election. His Administration was therefore never Supported by either party, but villified and libelled by both.”⁴⁵

Two of Hamilton’s arguments of the year 1796—“France” and “The Answer”—are afterpieces of “Camillus” which justified the treaty with Britain. Ratification of that treaty formally fixed our policy toward both belligerents, but French jealousy of our settlement with her enemy produced continuing efforts to draw America to her side. Genêt had been outrageous, and was dismissed; Fauchet was less obtrusively persistent in the same behalf; his successor Adet became outspoken in his attempts to revive American partiality to France. Ongoing developments in the war furnished fresh motives for his mischief. Hamilton’s efforts to counteract this propaganda hinted at the crisis, not far distant, when we should be obliged to yield to French pretensions or muster our military strength to resist them.

The first paper, Hamilton explained in a note, was written some time earlier, but “was laid by from a reluctance . . . to do any thing that might seem like widening the breach. But the events foreseen ripen so fast that it becomes indispensable to give a free course to the truth.”⁴⁶ His object was to prevent gratitude to France, for help in gaining our independence, from unhinging that very independence. France gave scanty succors until the capture of Burgoyne; then her liberal aid “was obviously to enfeeble a hated and powerful rival, by breaking in pieces the British empire. . . . He must be a fool, who can be credulous enough to believe, that a despotic court aided a popular revolution, from regard to liberty or friendship to . . . principles. . . .” Her calculating bargain brought her trade advantages here and our guarantee of her West India possessions in every future defensive war. Her promise to protect our sovereignty soon became nominal, for our increasing strength was our own warrant. But by the same token our commitment to defend her West Indies became more valuable to France and exposed us to engagement in wars in which we had no stake. The machination of France, through her envoys here, was to keep our government feeble and distracted, perpetually in quarrels with

Britain, and the dupe of French designs. The sin of the Jay treaty was that it demonstrated our capacity to settle our own problems.⁴⁷

These observations, presented with skill which the modern public-relations counsel would quicker envy than equal, were meant to support our national character and autonomy of action. Hamilton's "Answer" to Adet's note which complained of our conduct and justified the French decree against neutrals was less popular in form. Adet had had the temerity, or effrontery, to publish his indictment in the newspapers, with the purpose, Hamilton declared, of persuading the timid, in the approaching election, to turn out a President and Vice President who were traduced. However, Hamilton's rebuttal of Adet's accusations appealed chiefly to thoughtful readers.⁴⁸ His device of contradicting the French out of their own mouths, by citing their pronouncements and laws covering the same points, was effective. However, this required quoting authorities in international law and in French practice, lawyer fashion. He had prepared himself with expert care, and doubtless aimed his brief at members of Congress who had just assembled. Though no longer in the government, he was intimately conversant with the replies of Pickering, our Secretary of State, and his own rejoinder amounted to a competent, if unofficial, white paper.⁴⁹

In the staccato of modern discussion of public issues, with cross-fire of opinions offered in varied media and intended for sudden consumption, we lack, and miss, such deliberate documented representations as this and many more of Hamilton. He was as busy as any publicist today, but his zeal found time for thorough thought in service of the community. Party commitment he had, and few leaders among the Federalists but appealed to him at one time or another, or times over, to come forward in print for their agreed position. But in all he was more than the brilliant controversialist, though he manifestly enjoyed flexing his swordsman's wrist in parry and thrust. No man with so many calls (and profitable ones) on his time and talents would have put himself to the labor of public, and mostly anonymous, advocacy unless his concern was for the common welfare. This is to say what his enduring reputation has proclaimed, that he was statesman, not politician. He dealt in principles as they appeared to him good.

¶ He closed this very paper with a plea that illustrated disinterested

patriotism. "Our government," he summed up, "has acted with firmness, consistency, and moderation, in repelling the unjust pretensions of the belligerent powers. . . . Into whatsoever hands the administration . . . may now come, they are called on by . . . wise policy, and the voice of their country, to pursue the same general line of conduct . . . without yielding to the violence of party on either side."⁵⁰

This may be a place to recall that Hamilton's recommendations, not only in legislative speeches and official reports, but in newspaper and pamphlet contributions, possessed dignity and exercised influence not a little by reason of their workmanship. One need not examine hundreds of Hamilton's manuscripts to admire—indeed be startled by—the care with which he constructed every exposition, argument, paragraph, sentence. At times his thoughts flowed so lucidly that he felt prompted to few revisions. They were transferred to paper automatically—complete, in order, and with indwelling spirit. But as often, or oftener, where the matter was complicated or he suffered interruptions, he made painstaking additions to what he had written. If brief these were interlined; if fuller, they were put in the wide margins which he left, with signs to indicate where the insertions fitted. His revisions were usually by way of supplement rather than changes of the sense or expression. Only here and there he would substitute what occurred as a better word or turn of phrase. In comparatively few instances a composition went through several drafts. The mechanics of his writing bespeak his orderly mind. Before he started he knew where he would come out. Each sentence was formed in his thought, never fumbled with on the paper. His pieces as printed proclaim his pains, but in the manuscript the attention he bestowed is literally graphic. His native facility, further enlivened by practice, was companioned by a deal of hard work. All that he wrote possessed finish. Nothing was left carelessly hanging. Any repetitions were for emphasis, not from inadvertence. His care that concealed care was true not only of his important papers. His personal and casual letters, even little notes dashed off in a moment, show the same deftness and attention to the reader.

Specialists have written of Hamilton's rhetoric, and his hearers have left their impressions of his oratory.⁵¹ Of course, there was an amount of conscious contrivance, though his style was direct

and economical, not decorated. One may conclude that his eloquence was not of language, but sprang from intentness on his purpose and the honesty of his nature. In other hands the materials with which he must often deal would have made a dull recital—debt, taxes, interest rates, commercial regulations, not to speak of legal analyses. In instances he could do no more than make these discussions clear and connected, reducing the complex to the simple. But he explored the social and moral aspects of technical questions. Credit and currency as stimulants of production and trade became exciting themes. Wealth, while issuing in goods and services, had as its mission the good life for all. The origin of wealth was in more than physical resources. The secret lay in social organization; in discipline, in cooperation. Of these government was the readiest promoter. Individuals must be alert, industrious, ambitious. But in the undeveloped state of America, the competence of enterprise, capital, and labor could be enormously forwarded by joint action, by preparation through government. Law, order, peace were guarantors of conditions under which good faith could flourish. Thus in the classic significance of the term, Hamilton was the political economist. His objects, his means were more public than private. How induce capacity was his study. How from what he called “that feeble and anarchical system—the old Confederation,— . . . almost . . . national *nothingness*,”⁵² bring us to an efficient polity? How implant honor for debt, rouse and pledge revenue for payment, incorporate credit, quicken industry, agriculture, and commerce? These objects demanded planning, but also invited exhortation. The architect must inspire the builders. His eye was fixed on the future of the national edifice. No man knew better what time would capture for the American people.



An Affair and Its Awkward Aftermath

WE may not confine our story to fiscal solutions, industrial promotions, money panic, and treaties, as though Hamilton was wholly absorbed with public projects and crises. We must relate an aberration in his private life, a liaison with a Maria Reynolds which brought in its train anxiety, blackmail, and mortification. Passion set aside intelligence and judgment, not to say domestic fidelity. The involvement provoked slander which Hamilton repelled at the cost of pride of himself and his family. His voluntary confession of personal fault, to destroy the charge of Treasury misconduct, was so explicit as to disarm censure. When before or since has a leading national character, under no compulsion save that of public honor, so laid bare his misbehavior? Refraining from any comment on the score of morality, the biographer is struck by the capacity of a man who could carry on an amorous intrigue, with its embarrassments, and not slacken in ingenuity and assiduity in public responsibilities. His self-declared affair with Mrs. Reynolds has seemed to license charges of other romantic adventures. Some of these whispers were earlier than his connection with Mrs. Reynolds, but they are probably to be classed with the loose talk directed against many conspicuous men. In any event the present inquiry has not found evidence of other instances to Hamilton's discredit.¹ The particulars now to be recited were known only to a very few until five years later Hamilton felt obliged to reveal them, under circumstances to be described in their place.

Some time in the summer of 1791 (it must have been shortly before Mrs. Hamilton and the children left Philadelphia on a visit to the Schuylers at Albany)² a woman called at his home and asked to speak to Hamilton in private. She said she was a New Yorker in distress, born Maria Lewis and a sister (in law evidently) of Mr. G. Livingston.³ She was married to James Reynolds, whose father was in the Commissary Department in the Revolution. However, her husband had recently left her for another woman, and she begged of Hamilton the means of returning to her friends in New York. He had not the money at the moment, but that evening took a bank bill to her lodging.⁴ She met him at the head of the stairs, and took him into her bedroom where "it was quickly apparent that other than pecuniary consolation would [also] be acceptable." Their frequent meetings after this were mostly at Hamilton's house, his family being absent. The call of Mrs. Reynolds must have produced a sudden passion in Hamilton, for at the end of July he was writing his wife, who was in Albany, solicitous for her health. "Consider how much our happiness depends upon it. . . . I have been to see your new house. . . . Twill soon be ready and I shall obey your orders about papering &c. Adieu my precious Wife. Blessings without number on you & my little ones."⁵

When Mrs. Reynolds told him soon that her husband wanted to return to her, Hamilton encouraged the reconciliation. She reported that Reynolds could give information of connivance in the Treasury staff in speculation. Hamilton sent for him and was told that Duer before he resigned had furnished Reynolds a list of claims against the government. Hamilton pretended concern and Reynolds departed with the hope of help in securing public employment. Hamilton wanted to place Reynolds under obligation to him, but, reflecting on his character, declined to give him a clerkship in the Treasury.

When he wanted to break off relations with Mrs. Reynolds, suspecting her of collusion with her scoundrelly husband, she showed such "agonizing distress" that he was dissuaded. We do not have her letters of this time, but judging from later missives her pleas must have been hard to resist. Her spelling and grammar left something to be desired, but since when has syntax entered into sex? Suppose she was a vulgar and, as Hamilton came to believe,

designing woman, she must have had strong feminine appeal. She must have been handsome, or her project would have had small chance of success in the first instance.

In mid-December, 1791, Maria notified Hamilton, with every sign of alarm for him, that her husband had found them out. Hamilton could not decide whether this was accident or plan.⁶ Reynolds wrote him long blustering letters, too meanly self-pitying and temporizing to menace physical encounter. While threatening exposure, to Hamilton's family or otherwise, he was careful to confide, "there is no person that Knowes any thing as yet," and again "you may rest ashured that the matter as yet is Not known." The humiliated husband was plainly building up to blackmail.⁷

Hamilton went in response to Reynolds' second and still deferential summons. Not knowing the outcome, he took the precaution of penning a hasty note to a trusted friend. "My dear Sir[,] I am this moment going to a rendezvous which I suspect may involve a most serious plot against me but various reasons, and among others a desire to sustain the truth induce me to hazard the consequence. As any disastrous event might interest my fame; I drop you this line, that from my impressions may be inferred the truth of the matter."⁸

In this interview Hamilton, in Reynolds' words two days later, "would wish to know my Determination what I would do and. you express a wish to do any thing that was in your power to Serve me." The result was Reynolds' demand for a thousand dollars, when he would take himself and young daughter off and leave his alienated wife to Hamilton's attentions.⁹ Hamilton paid in two instalments within a fortnight, Reynolds receipting for the last with the mocking words "in full of all demands."¹⁰

So far from abandoning his wife, Reynolds cherished her to the point of begging Hamilton, for her happiness, to renew his discontinued visits. For a few weeks Hamilton refrained, in spite of the husband's generosity and the wife's entreaties. The tearful Maria had "Ben Sick all moast Ever since I saw you . . . I solicit a favor . . . for the Last time[.] Yes Sir Rest assured I will never ask you to call on me again[.] I have kept my Bed those tow dayes and now rise from my pilliow wich your Neglect has filled with the shorpest thorns. . . . I only do it to Ease a heart wich is ready Burst with Greef[.] I can neither Eat or sleep[.] I

have Been on the point of doing the moast horrid acts. . . . I feel as If I should not Contennue long and all the wish I have Is to se you once more . . . for God sake be not so voed of all humanity as to deni me this Last request but if you will not Call some time this night I no its late but any tim between this and twelve A Clock I shall be up Let me Intreat you If you wont Come to send me a Line oh my head I can rite no more[.] do something to Ease My heart. . . . Commit this to the care of my maid be not offended I beg." Two days later her pang was sharper when she learned that Hamilton deserted her from choice. "I thought you had been told to stay away from our house and yesterday with tears I my Eyes I begged Mr. once more to permit your visits and he told upon his honnour that he had not said anything to you and that It was your own fault . . . I scarce knew how to beleieve my senses and if my seturation was insupportable before I heard this it was now more so . . . and if my dear freend has the Least Esteeme for the unhappy Maria whos greateest fault is Loveing him he will come as soon as he shall get this. . . . P.S. If you cannot come this Evening to stay just come only for one moment as I shal be Lone Mr. is going to sup with a friend. . . ." ¹¹

Had Hamilton remained firm in his determination to break off the affair he might have escaped the sequel, except that blackmail never ends until the victim is sucked dry or himself makes a disclosure. Husband and wife begged him to resume; the aliment to his passions was a corresponding drain upon his purse, for Reynolds complacently made fresh requisitions for "loans." Hamilton was put to it, in his visits to Mrs. Reynolds, not to be observed by outsiders. He entered by the back way. Reynolds affected to be humiliated by this. Was he a person of such bad character (a procurer for his wife!) that Hamilton was ashamed to be seen at his house? Then come no more. But this forbiddance, which Hamilton was by now glad to obey, was nonetheless followed by fresh levies on one excuse and another through August, 1792.¹²

Reynolds carefully preserved Hamilton's various notes to him, though they were brief, unsigned, in a hand disguised. One or two other scraps, which Hamilton believed were not addressed to Reynolds, were secured, by Reynolds or accomplices, perhaps from discarded papers in Hamilton's office. All were to figure in scandalous accusations later on. Mrs. Reynolds reported her hus-

band occasionally in a mood compounded of self-pity and resentment, the last issuing in threats to kill Hamilton or at any rate to inform Mrs. Hamilton. Maybe Reynolds and some of his associates were plotting to accuse Hamilton of complicity in private raids on the Treasury. This would have doubled his trouble. So, in the power of a rascally pair, Hamilton temporized, conceded, met demands where he could lest he court exposure.¹³

Some time before mid-November, 1792, Oliver Wolcott, as comptroller of the Treasury, prosecuted James Reynolds and his associate Jacob Clingman. The charge was suborning a person to commit perjury for the purpose of obtaining letters of administration upon the estate of a claimant against the United States who was still living. That is, they wanted to secure a payment from the government not due them.¹⁴ Clingman was arrested first, and was released when bailed by Henry Seckel, a Philadelphia merchant, for whom he was formerly bookkeeper. When Clingman failed to put up the collateral required by Seckel, he was again arrested. He begged Seckel to bring Reynolds, who would help him. Seckel obliged, whereat Reynolds was also arrested. Seckel at Reynolds' request carried a letter to Hamilton, who declined to do what Reynolds asked, and warned Seckel not to implicate himself in any way in the crime of the accused.¹⁵ Wolcott reported to Hamilton a threat of Reynolds, in prison, that he could "make disclosures injurious to the character of some head of a Department." Hamilton advised against any steps to liberate Reynolds until this threat was explained. Clingman turned to another former employer for aid, Frederick A. Muhlenberg, lately Speaker of the House. Muhlenberg and Aaron Burr called on Hamilton, who was noncommittal, and on Wolcott, who declined acting. Later Wolcott suggested that Clingman might be relieved of prosecution if he made restitution, surrendered the list of claimants, and disclosed the name of the person who had fraudulently procured the list from the Treasury. Meantime Jeremiah Wadsworth had interceded for Reynolds at Mrs. Reynolds' entreaty. Wadsworth had been the chief of Reynolds' father during the war, and acted without Hamilton's knowledge. Early in December Clingman accepted Wolcott's terms, and the prosecutions against him and Reynolds were dismissed.¹⁶

During the three weeks that Muhlenberg worked in his behalf,

Clingman frequently dropped hints that Reynolds had it in his power to injure the Secretary of the Treasury. Clingman explained later that Hamilton was deep in improper speculation and in this connection had advanced money to Reynolds. Muhlenberg shared his suspicion of official corruption with two Democratic members of Congress, James Monroe of the Senate and Abraham Venable of the House. Maybe this was the first they knew of the affair, or perhaps they were summoned independently to Reynolds' aid, as they said, on the ground that he was a Virginian.¹⁷

They found that Reynolds was not a fellow Virginian, but they did not listen the less to his dark insinuations against Hamilton. He would tell the whole story only after he was released that night; they might expect him at ten next morning. Fearing he would forthwith disappear, Muhlenberg and Monroe hid them to his house to catch him on his way from jail. They found Mrs. Reynolds alone. At first diffident, she yielded to their persistent questioning. At Hamilton's wish she had burned letters from him to her husband. Clingman had others (of which Muhlenberg and Monroe possessed themselves). Wadsworth, she said, came to her help with Hamilton's privy; he was trying to protect Hamilton against accusations of enemies. They saw in her hands two recent notes offering to aid her—one of a week before signed with Hamilton's name.¹⁸

Their curiosity thus whetted, Monroe and Venable were agog to hear Reynolds himself next morning (December 13), but he had gone off.¹⁹ The trio considered laying the matter before the President at once, but, willing to hear Hamilton's story first, presented themselves at his office the morning of December 15, 1792. When Muhlenberg declared that they had discovered an improper connection between Hamilton and Reynolds, Hamilton was furiously indignant until they explained that they did not take the fact for established, but had suspicious documents, and so on. They showed him notes which he acknowledged he had written. He assured that he could disprove imputations of malfeasance in the Treasury if they would come to his home that evening. Hamilton immediately revealed to Wolcott his intrigue with Mrs. Reynolds, showed him the blackmailing letters, and engaged him to be present at the interview with the congressmen that night.²⁰

When the accusers went to Hamilton's home, as arranged, they

exhibited their information from the Reynolds pair and Clingman, and Hamilton's missives. He heard them through, then explained about his affair with Mrs. Reynolds and produced the correspondence that showed the reports given the legislators related to a private lapse and in no way indicated official misconduct. Before Hamilton finished his reading, Venable and perhaps Muhlenberg declared themselves convinced of his innocence, but Hamilton, having been suspected, insisted on completing his disproof. "The result was a full and unequivocal acknowledgment on the part of the three gentlemen of perfect satisfaction with the explanation, and expressions of regret at the trouble and embarrassment which had been occasioned to me. Mr. Muhlenberg and Mr. Venable, in particular, manifested a degree of sensibility on the occasion. Mr. Monroe was more cold but entirely explicit."²¹

Next morning Hamilton made a memorandum of these assurances, and the following day wrote to each of his inquisitors, asking for copies of the papers in their possession, and begging that the originals should be withheld from the Reynolds pair and Clingman to guard against further "abominable . . . attempt" to use them to his defamation. Muhlenberg replied that Monroe had all the papers, and Monroe promptly sent the desired copies with the promise that "Every thing you desire in the latter . . . shall be most strictly complied with."²²

Perhaps Hamilton, soon after his affair with Mrs. Reynolds, expressed compunction in a veiled way, in a piece for Fenno's paper urging American neutrality "in the expected war [of France] with Great Britain." "A . . . virtuous Citizen . . . [he wrote] will regard his own country as a wife, to whom he is bound to be exclusively faithful and affectionate; and he will watch with a jealous attention every propensity of his heart to wander towards a foreign country, which he will regard as a mistress that may pervert his fidelity; and mar his happiness." Persons among us appear "to have a passion for a foreign mistress, as violent as it is irregular; and who, in the paroxisms of their love, seem . . . ready to sacrifice the . . . welfare of the political family. . . ."²³

Hamilton's private indiscretion at first was not erected into a public scandal. This because his explanation was satisfactory to the few who came to him with their suspicions. But the episode was not suffered to be buried in oblivion. Five years later news

of it was revived in the most public fashion with all the distortion of which it was capable. Probably the first notice that Hamilton had was the advertisement in Fenno's *Gazette*, June 27, 1797, of James T. Callender's *American Annual Register, or Historical Memoirs of the United States, for the Year 1796*. This was said to contain "singular and authentic papers respecting Mr. Alexander Hamilton."²⁴ Since the insinuations against him were evident from the blurb, Hamilton procured a copy, and as soon as he gave it "a cursory perusal"²⁵ he took steps to refute the canard. The fifth installment contained only the suspicions of Muhlenberg, Venable, and Monroe that Hamilton while Secretary of the Treasury had been speculating in the funds, and oppressed Reynolds, his agent, in order to drive him away and avoid disclosure. This Hamilton at once denied in his letter to Fenno's *Gazette*. The sixth installment was another matter, for it recited and cast doubt upon Hamilton's explanation to his inquisitors that his commerce was with Mrs. Reynolds, entailing blackmail paid to her husband. Callender's whole effort was to show that the papers did not belong to an amour, but to illicit speculative dealings with Reynolds. At least "So much correspondence could not refer exclusively to wenching. No man of common sense will believe that it did. . . . The solicitude of Mr. Hamilton to get these people out of the way, is quite contradictory to an amorous attachment for Mrs. Reynolds, and bespeaks her innocence in the clearest stile."²⁶

Callender professed that the unfounded Federalist reproaches against Monroe's ministry to France, for which he held Hamilton responsible, formed the "immediate motive to the publication of these papers."²⁷ Not content with his chief accusation, that Hamilton had profited personally from his Treasury position, Callender presented him as a seducer, a violator of the confidence of Washington, a hypocrite, vengeful toward dissident subordinates.²⁸ Callender was a practiced though unprincipled writer, but his calumnies, as Hamilton said, would not have been worth notice except that he called to witness men of position in the nation. Hamilton wrote (July 5) to the three men who appeared in Callender's account as the accusers, citing passages which implied his grave guilt. He called on them to repeat their earlier assurances to him that they had been satisfied of his official integrity, and to deny Callender's imputations. The present appearance of the

papers proved "infidelity somewhere"—doubtless in an agent whom they had trusted. As poignant reminder, he included a copy of their exculpation of him after their interview in 1792.²⁹

The next day he wrote a public letter to Fenno's paper. He quoted the recent advertisement, which sought to excite curiosity for the documents by an anecdote. This was that Noah Webster in his *Minerva* (New York) suggested Hamilton as an eligible successor to Washington in the Presidency. This prompted a warning to Hamilton that unless Webster was hushed the materials (now first published) would be laid before the world. The *Minerva* became silent. Hamilton declared this story "wholly false." The solution of the papers "is simply this—They were the contrivance of two . . . profligate men . . . to obtain their liberation from imprisonment for a serious crime by the *favor of party spirit*." Recourse was had to Messrs. Monroe, Muhlenbergh [*sic*], and Venable, two of them his "*known political opponents*." All three, with Wolcott a witness, had declared the charges false. Hamilton ended with his "intention shortly to place the subject more precisely before the public."³⁰

It would seem to the latter-day observer that Hamilton would have done well to let this disclaimer suffice. Here he had discredited the source of the slander, had proclaimed that the public men whose names seemed to sanction had really condemned it. Far more would have seen and believed his denial than would read, much less credit, Callender's vicious report. Which of his friends he consulted at the time, and their advice to him, is not known. His full disclosure in a pamphlet had two motives. Explicit was his determination to defend his public honor even at the pain of confessing his private offense. Maybe this was unnecessary and therefore indiscreet in the humiliation it brought on himself and his family both now and when enemies reverted to the episode in afteryears. That aside, his avowal was admirable in proving his prime solicitude for a spotless reputation in the Treasury.

Equally evident was his resentment at a foul attack, politically inspired. He had suffered others; now his wrath was cumulative. It had not been enough to establish truth privately. In some fashion that he could not trace a confidence had been betrayed. He would lay this ghost of charges of misuse of the Treasury once for all, and thereby shake his persecutors.

The Federalist Noah Webster, after the event, felt that Hamilton need not have exposed his relations with Mrs. Reynolds. In so doing he betrayed the capriciousness which he charged against Adams a few years later. Asked Webster, "what shall we say . . . of a man who has borne some of the highest civil and military employments, who could deliberately . . . publish a history of his private intrigues, degrade himself in the estimation of all good men, and scandalize a family, to clear himself of charges which no man believed; to vindicate an integrity which a legislative act had pronounced unimpeachable. . . ."⁸¹

However, Hamilton was spurred by prompt public taunts of Callender in reply to Hamilton's first answer in Fenno's paper. Callender wrote as though he were Monroe, taking to himself Monroe's actions; he had certainly been in close conference with Monroe. He made a correction of fact, that Clingman was never in jail. He made it appear that Reynolds did not appeal to the legislators to free him, hence they were not actuated by party purposes. He charged that Hamilton helped to release Reynolds, which was contrary to the truth. If Hamilton's "penitential tale of . . . depravity" with Mrs. Reynolds could be believed, it did not explain dealings with her husband. Callender practically called Hamilton a liar, and repeated that he had been anxious to keep the incriminating papers from the eyes of the President. Hamilton had best publish an extensive defense, as now "the public . . . have . . . some unlucky doubts."⁸²

This was a mortifying business. Hamilton had been accustomed to dominating situations in which he found himself, not in an officious way but by reason of responsibility or right conduct. Now he was the prey of an unprincipled foe who would hold him up to scorn and ridicule. The episode of Mrs. Reynolds, with its unhappy aftermath, is in cruel contrast to what was habitual in Hamilton's career. In his other contests he appeared in his official capacity, or as a political figure. Now he must expose an exceedingly private error, certain to distress his loved ones. Even so he obeyed his practice of protecting his fame as a public servant at whatever cost in personal chagrin.

Both Muhlenberg and Venable at once repeated, in response to Hamilton's demand, that they had been satisfied with Hamilton's explanation as he had been with the fact of their inquiry; they

never had copies of the papers, or any agency in Callender's publication. Venable took umbrage at Hamilton's letter to Fenno; he had not interceded for Clingman and Reynolds, so could not be charged with subordinating justice to party purpose.³³

Both Muhlenberg and Venable answered Hamilton from Philadelphia, but Monroe had just returned from there to New York, where Hamilton and John Barker Church called on him the morning of July 11 at his lodgings. David Gelston, New York Democratic politician, was present, evidently by prearrangement, and we have his detailed minute of the interview.³⁴ Gelston was there in capacity of Monroe's friend, but probably no bias was needed to picture Hamilton as peculiarly agitated. He rehearsed the private inquiry of Monroe and the others more than four years before, reminded that Monroe had then declared himself satisfied of Hamilton's innocence of any public malfeasance, and demanded to know how the papers came now to be divulged and published by Callender. A warm exchange took place. Monroe vouchsafed that he had "sealed up his copy of the papers mentioned and sent or delivered them to his friend in Virginia—he had no intention of publishing them & declared upon his honor that he knew nothing of their publication until he arrived at Philad^a from Europe³⁵ and was sorry to find they were published." Hamilton angrily taxed Monroe with not having given him an earlier reply. Monroe explained that he had received Hamilton's letter in Philadelphia at ten o'clock at night, immediately sought out Venable but found it would be impossible to meet him and Muhlenberg before he (Monroe) must leave for New York next morning. He wished to make a joint response with them, which he intended doing when he returned to Philadelphia. Church produced "two pamphlets" (Callender's), as a visible reproach to Monroe, who offered to make his individual statement then and there. He went over the history of the business, ending with his belief "that the packet of papers . . . remained sealed with his friend in Virginia."

Hamilton called this representation "totally false . . . upon which the Gentlemen both instantly rose Col^o M. rising first and saying do you say I represented falsely you are a Scoundrel. Col^o H. Said I will meet you like a Gentleman Col^o M said I am ready get your pistols. . . . M^r C & myself . . . put ourselves between them M^r C. repeating Gentlemen Gentlemen be moderate . . . to

appease them. we all sat down & the two Gentⁿ . . . soon got moderate." Gelston then proposed that the affair rest until Monroe returned to Philadelphia on Friday and was able to make a further joint reply with Muhlenberg and Venable. Church accepted this, said Hamilton and he would follow to Philadelphia on Saturday and the business could be done on Sunday. At Church's invitation all agreed that any intemperate expressions used in the hour's interview just closing "should be . . . considered as tho' it never had happened."³⁶ The day after reaching Philadelphia, Monroe arranged to meet with Muhlenberg, after which Hamilton would immediately hear from them.³⁷

Hamilton was followed to Philadelphia by news from New York of the perfect confidence of his wife. Church wrote: "I am this Instant returned from your House. Eliza is well[,] she put into my Hand the newspaper with James Thomson Callender's Letter to you, but it makes not the least Impression on her, only that she considers the whole knot of those opposed to you to be [scoundrels? scratched out]."³⁸ Church sent along Wolcott's certificate covering Hamilton's satisfactory explanation to his inquisitors back in 1792. Doubtless Hamilton had seen Wolcott in Philadelphia, and Wolcott would remain there as long as he could help in rounding up evidence and bringing Monroe to a confirmation of his earlier agreement that Hamilton was innocent. Even Hamilton's old enemy Fraunces tendered aid. He had sought out Church, pretending "that he has Papers in the Hands of his brother at Philadelphia which will be useful to you and . . . he was very desirous to see you . . . that Giles, Maddison and Finlay has frequent Meetings at his Brother's House and that they used a variety of Perswasions to prevail on him to accuse you of being concern'd with Reynolds in Speculation in Certificates altho he repeatedly assur'd them that it was not true, yet they were dispos'd to go every Length for the purpose of injuring your Character." Church was permitting Fraunces to go to Philadelphia.

Always the stout friend, Church had seen Monroe on the eve of the latter's departure for Philadelphia and reported him "inclin'd to be very gentle and that he is much embarrass'd how to get out of the Scrape in which he has involv'd himself. . . . I think from the present Appearances you will not be long detain'd at Philadel-

phia, but be able to return on Sunday or Monday.”³⁹ In the interval of Monroe’s journey from New York to Philadelphia after the angry exchange with Hamilton, the latter had read the next installment, Number VI, of Callender’s *History*. This deepened suspicion that Hamilton, while in the Treasury, was guilty of speculation. It contained a new document, not in the previous pamphlet in the series. Under date of December 16, 1792, the three legislators recorded the result of their visit to Hamilton at his home, that is, Hamilton’s confession of his intrigue with Mrs. Reynolds and his explanation that his payments to the husband were blackmail. The three concluded, “We left him under an impression, our suspicions were removed.”⁴⁰

This was equivocal on the essential point, but appended was a paragraph of a fortnight later (January 2, 1793) signed by Monroe alone, which did more damage. Monroe noted his conversation that evening with Clingman, who called on him. Clingman said he had heard from Wolcott that the congressmen, in an interview, had vindicated Hamilton of any guilt in his public capacity. “He further observed to me, that he communicated the same to Mrs. Reynolds, who *appeared much shocked at it, and wept immoderately*. That she denied the imputation, and declared, that it had been a fabrication of colonel Hamilton, and that her husband had joined in it, *who had told her so*, and that he had given him receipts for money and written letters, *so as to give countenance to the pretence*. That he was with colonel Hamilton, the day after he left the jail, when we supposed he was in Jersey. He was of opinion she was innocent.”⁴¹

Hamilton was astonished, wrote the three to know whether this document was theirs, and discussed this disturbing equivocation in two visits to Monroe. In a joint answer, Monroe and Muhlenberg were sorry that Venable was not available, having left town. The original papers, they declared, were “deposited in the hands of a respectable character in Virginia soon after the transaction took place, and where they now are.” Monroe and Muhlenberg had nothing to do with their publication. Hamilton had satisfied them that he had not been connected with Reynolds in speculation. They passed lightly over their record of Clingman’s last allegations. Their memoranda had been entered “without view to any particu-

lar use." They repeated Venable's remonstrance against Hamilton's charge—as they took it—that they had been instruments of party.⁴²

Hamilton immediately thanked them for their new acknowledgment of his innocence. He pointed out that in Fenno's paper he had blamed Reynolds and Clingman for appealing to party animus, had not accused the legislators of responding to it.⁴³ Actually, this was better treatment than they deserved. On second thought he enclosed a letter to Monroe alone, asking whether he had meant to credit Clingman's story that Hamilton's defense (simply an affair with Mrs. Reynolds) was false, got up between him and Reynolds to cover his real guilt.⁴⁴ Monroe's unsatisfactory response to this demand of Hamilton ere long threatened a duel between them.

Monroe replied that in setting down Clingman's statement he had not implied any opinion of his own as to its truth, but reserved the liberty to judge of it if apropos in future.⁴⁵ Hamilton called this unsatisfactory. Should he infer that Clingman's final story had revived Monroe's suspicions, which he had earlier agreed Hamilton had removed? Was Monroe calling Hamilton a forger?⁴⁶ When Monroe simply repeated his former response,⁴⁷ Hamilton remonstrated further. Monroe, after Hamilton's statement, should have refused to credit Clingman to the extent of preserving anything he charged. Published at this late day, it placed Hamilton at a disadvantage. If Monroe made no disavowal, Hamilton was prepared to think ill of his conduct.⁴⁸ Monroe wrote the same to Burr a fortnight later. He had never meant to imply that he believed Clingman; he had merely made a note of what Clingman alleged. Hamilton was not satisfied with this assurance, was "always endeavouring to get more from me than in conscience I co^d give."⁴⁹ What nagged at Hamilton was that Monroe, by listening to Clingman, had revived suspicions which had been dismissed. Monroe must now discredit Clingman's story, or the public might think Hamilton guilty of malfeasance. Monroe's refusal to do so drove Hamilton to his embarrassing publication, which exhibited beyond question that Mrs. Reynolds—later pretending injured innocence—had been his mistress.

Monroe now, in a long letter, blew hot and cold. He and his colleagues had been satisfied by Hamilton's account of his connection with Reynolds. On the other hand, he awaited Hamilton's

formal defense before believing him guilty or innocent of speculation.⁵⁰ Hamilton, in rejoinder, held Monroe responsible, "no matter how," for Callender's talebearing. Monroe, repentant, should have come forward at once to refute Callender's insinuations. Instead, he was compelling Hamilton to defend himself in public. Hamilton charged Monroe with malignant and dishonorable conduct; sending the letter by his old friend Major William Jackson more than hinted of a challenge.⁵¹ Monroe replied that if this was the intention, Hamilton well knew his (Monroe's) determination. Monroe endorsed his retained copy, "If he chuses need not publish our correspondence—& may make the most of our certificate. No occasion for a reply, as it may lead on and irritate."⁵²

Hamilton had not called Monroe out, did not know whether Monroe was willing to fight. Hamilton was driven to a public explanation which would allow all to judge between them.⁵³ Yes, said Monroe, he would talk with a pistol if required, though he thought powder and ball ill served the truth.⁵⁴ Hamilton considered this an invitation to a duel, and sent Major Jackson to settle time and place.⁵⁵

Monroe explained that he had not meant to give or to provoke a challenge. If Hamilton's last was such, let him say so to Colonel Burr, who was Monroe's messenger, and Burr would arrange for the duel.⁵⁶ Sending this letter, with copies of the whole correspondence, to Burr in New York, Monroe declared that he had not (as Jackson thought) challenged Hamilton. If it came to a duel, Burr must stipulate that Monroe be given three months to publish his vindication against his recall from Paris and arrange his affairs in Virginia. His preferred place for the duel was along the Susquehanna, and he hoped Burr, as his second, would find that convenient. So much said, he wished Burr, as his agent, to be circumspect (as Monroe had a family). If Hamilton preferred to justify himself in print, then Burr should hint to him that the recent correspondence with Monroe should be suppressed. Then Hamilton could make the most of the original declaration of his inquisitors that they were content with his exculpation. If Burr could settle the difference amicably, Monroe would say he had not intended, by listening to Clingman's story, to give weight to it. He repeated that he had no hand in Callender's publication, thought Hamilton was indiscreet to notice it. Hamilton's party friends in

Philadelphia were pushing him on; "to get rid of me, [they] wo^d be very willing to hazard [*sic*] him. . . ." ⁵⁷

In the meantime Hamilton had consulted with friends. McHenry advised that Hamilton, through an agent, should remind that he had called Monroe dishonorable and, without a more formal challenge, Monroe could resent the epithet or submit to it.⁵⁸

Hamilton now brought the affair to a close, so far as he was concerned, by writing Monroe, August 9, 1797, that he had accepted what he thought was Monroe's challenge. But since Monroe now said he meant no challenge, Hamilton desisted.⁵⁹

Burr, a few days later because he had been sick in bed, sent Hamilton's reply to Monroe. Burr, later to be pertinacious in forcing a duel upon Hamilton, now advised Monroe to make peace. The correspondence should be burned. "If you and Muhlenbergh really believe, as I do, and think you must, that H. is innocent of the charge of any concern in speculation with Reynolds, It is my opinion that it will be an act of magnanimity & Justice to say so in a joint certificate. You expressed to me the same idea when we were together. . . . resentment is more dignified when Justice is rendered to its object—but this remark is now ill-timed. I take your personal differences to be settled & they had best remain so." He enclosed the form of a certificate declaring Hamilton innocent of official wrongdoing which Monroe, Muhlenberg, and Venable might approve.⁶⁰

Monroe seems to have been a long time in receiving this letter. He had left Philadelphia for Virginia,⁶¹ and three and a half months later was writing Burr, from Albemarle, to discover the issue of the quarrel. He repeated his commission to Burr to act for him, making it clear he had delivered no challenge. If, however, Hamilton's letter of August 4 was to be considered as an invitation to fight, "it becomes me to accept it." To be clear on this he had prepared a letter to Hamilton which he enclosed.⁶² Writing to Burr in December, Monroe suggested that if the difference with Hamilton was settled amicably, a paragraph recording the accommodation might be inserted in the newspapers.⁶³

Monroe, like Muhlenberg and Venable, all along had protested that he did not give the accusatory papers to Callender. Monroe, as the one of the trio with whom they were left, was twice at pains to declare that they were "deposited in the hands of a respectable

character in Virginia . . . and where they now are.”⁶⁴ Hamilton had charged him with being the cause of the faithless disclosure. But Monroe for more than four months let his practical certainty of the identity of Callender’s informant remain a secret, and then did not impart it to Hamilton. In a postscript to his letter to Burr, December 1, 1797 (not copied into the retained copy), he said: “You know I presume that Beckley [in 1792–1793 Clerk of the House] published the papers in question. By his clerk they were copied for us. It was his clerk who carried a copy to H. who asked (as B. says) whether others were privy to the affr. the clerk replied that B. was, upon wh. H. desired him to tell B. he considered him bound not to disclose it. B. replied by the same clerk that he considered himself under no injunction whatever—that if H. had any thing to say to him it must be in writing. This from B. —most certain however it is that after our interviews with H. I requested B. to say nothing abt. it. & keep it secret—and most certain it is that I never heard of it afterwards till my arrival when it was published.” He added that Muhlenberg and Venable had requested copies from Beckley, and it was their own fault if they obtained none.⁶⁵

Though Monroe had been anxious, he said earlier, to have Burr conclude the business with Hamilton, he was remarkably patient in the long autumn during which he had no news of the exchanges. True, he was working on his own pamphlet,⁶⁶ and he felt obliged to explain to both Hamilton and Burr that other objects had claimed his prior attention. It is unlikely that Burr or Dawson took a December letter from Monroe to Hamilton; probably the matter rested where Hamilton left it in August.⁶⁷ We must conclude that Monroe was culpable. He failed to safeguard the papers against publication. He recorded secretly a charge which, if believed, overthrew Hamilton’s defense. When taxed with the last he refused to apologize, and accepted Hamilton’s accusation that he was malignant and dishonorable.

Callender denied a report that Beckley was the author of the *History of the United States for 1796* or of “a single sentence of it.”⁶⁸ Beckley had retained copies of the materials Callender published, and Monroe and the others assured that the originals had remained in their place of deposit in Virginia. Callender said he printed from a copy of the documents “exactly conformable to

that, which, at his own desire, was delivered to Mr. Hamilton himself."⁶⁹ We know that this copying was done by Beckley's clerk. Callender was in close touch with Beckley at this time, evidently receiving a letter in which Beckley referred sarcastically to dismissal from his post as Clerk of the House, at the instigation of Wolcott.⁷⁰ Also, Beckley seems to have appealed to Monroe at the time of the latter's quarrel with Hamilton. Dawson wrote Monroe, "I have not been able to do any thing with [for?] Beckley." Yesterday he met Tench Coxe in the street, who complained that he [Coxe] had been removed from office following a remonstrance by Secretary Wolcott. Nor would President Adams give Coxe a copy of Wolcott's letter. "They" (the Federalists?) were resolved to oust all who differed from them in politics.⁷¹

As noted earlier, it was Beckley who, in June, 1793 (six months after Hamilton, to the congressmen, had vindicated his conduct), was eagerly listening to further allegations of Clingman and passed these on to provoke a public charge that Hamilton was involved in speculation. Two years later, after Hamilton had been elaborately investigated and exonerated, Beckley took special pains to repeat discreditable third-hand reports to Madison. This time Hamilton's declared robbery of the Treasury was no longer petty, but of becoming size, £100,000, as told above in our account of Hamilton's quarrel with Commodore Nicholson.

Hamilton concluded that the only means of countering the uncandid retraction of Monroe and the repeated insinuations of Callender⁷² was to publish the whole story of his affair with Mrs. Reynolds. Documents would include those especially stigmatizing Monroe. He hastily put materials together in fever-ridden Philadelphia,⁷³ and returned to New York shortly after charging Monroe, July 22, was actuated by motives malignant and dishonorable.

In watching how Hamilton pressed Monroe in the aftermath of the Reynolds episode we must remember that Monroe had been one of the most active and vocal of his political enemies. Protégé of Jefferson, he with Madison replied to Hamilton's newspaper attacks on the Secretary of State in the autumn of 1792.⁷⁴ He topped this off by joining Muhlenberg and Venable in their suspicions of Hamilton's integrity in the Treasury. He wrote against Hamilton's Treasury policy, in the spring of 1793, encouraged Taylor of Caroline in his assaults,⁷⁵ and found Hamilton's "Pacif-

icus" arguments erroneous.⁷⁶ He was all along in communication with the meddlesome Beckley. He protested to President Washington that Hamilton was unfit to be sent envoy to Great Britain in 1794.⁷⁷

Hamilton returned Monroe's hostility. A long distrust of him went into the summary proposal that "a person must be sent in place of Monroe" if we were to avert further French depredations on our commerce. This was made to Wolcott for the ear of the President, in June, 1796, crossing a letter from Wolcott of identical sort.⁷⁸ Monroe must have known Hamilton's agency in his recall, as he witnessed the strong remonstrances to France which Hamilton in large part engineered. Thus Hamilton at once informed President Washington, at Mount Vernon, of news of a French design to seize all American vessels carrying provisions to any English port. He thought it "more and more urgent that the United States should have some faithful organ near the French government to explain their real views, and ascertain those of the French. It is all important that the people should be satisfied that the government has made every exertion to avert a rupture, and as early as possible."⁷⁹ Washington at once alerted the Secretary of State, and earnestly solicited Hamilton's views and through him the opinion of Jay. Did the President have authority, in recess of the Senate, to send an envoy extraordinary to France? If so, who should be chosen? (Washington did not have Hamilton's list sent earlier to Wolcott.) "And what should be done with Mr. M—in that case?"⁸⁰

In Philadelphia on the unwelcome errand which resulted in the Reynolds pamphlet, Hamilton sent tender letters to his wife by way of special retribution. It was probably when he was preparing for the printer the confession of his former misconduct, that he assured Eliza there was no consolation he would not give her anxious heart. "It deserves every thing from me. I am much more in debt to you than I can ever pay; but my future life will be more than ever devoted to your happiness."⁸¹

It must have been at about this point in the Reynolds exposure (July, 1797?) that Angelica Church sought to comfort her sister Elizabeth. Hamilton had evidently seen Elizabeth off to Albany; when he "returned from the Sloop he was very much out of spirits, and you were the subject of his conversation the rest of the even-

ing. . . . tranquillize your kind and good heart . . . , for I have the most positive assurance from M^r Church that the dirty fellow [Monroe?] who has caused us all some uneasiness and wounded your feelings my dear love, is effectually silenced; Merit, virtue, and talents must have enemies and [are] always exposed to envy; so that my Eliza you see the penalties attending the position of so amiable a man, all this you would not have suffered if you had married into a family less *near the sun*; but then [you would have missed?] the pride, the pleasure, the nameless satisfactions, &c." Angelica ended "yours with all my heart and with redoubled tenderness."⁸²

Rarely has a tract of such intimate disclosures borne a more innocuous title than that published August 31, 1797, *Observations on Certain Documents, Contained in No. V and VI of "The History of the United States for the Year 1796," in which the Charge of Speculation against Alexander Hamilton, late Secretary of the Treasury, is Fully Refuted. Written by himself.*⁸³ Nor was the "blurb" more revealing, for its reference was mainly political.⁸⁴

Of course, precisely because he recited the persuasive particulars of his amour, Hamilton was subject afterward to jibes of his political foes. Unable to indict his public integrity, these were mean enough to exult in his personal shame though this sent darts into his guiltless family. That he chose this grief rather than run the risk of plausible whispers was to his credit. He had his reward in the loyalty of his wife, her family, and all friends. His self-immolation, if not new cause of public esteem, was no hurt to it. Perhaps a good many men, of reputations as high as his, on reading his tell-tale lines said, with mingled admiration and relief, "There, but for the grace of God, go I."

He began by striking back at his Jacobin enemies who practiced reiterated slander despite formal congressional disproof. The "system of defamation" had reached its vilest in Callender's recent falsehoods. The charge was improper speculation with Reynolds. "My real crime is an amorous connection with his wife . . . with his connivance, if not originally brought on by . . . husband and wife . . . to extort money from me." The very documents on which his accusers relied refuted the imputations. What head of the money department of the nation, with access to millions, if corrupt, would have confined himself to petty peculations with

obscure criminals as his agents? The allegations of Clingman, Reynolds, and Mrs. Reynolds against him were self-serving and not entitled to belief. He completed a lawyer's analysis to show the stories were specious on their face.⁸⁵

Not content with this, he brought forward his positive proofs. He recited his affair with Mrs. Reynolds, supported by letters from her and her husband, which left no doubt that his notes to Reynolds pertained to the blackmail levied on him, not to speculation. So far from plotting gain, he was being amerced. The precious pair, husband and wife, protracted Hamilton's intrigue—the foolishlest error of his passions—to add to his enforced payments. Nor could he refuse outright to find for Reynolds public employment, but must put him off with excuses. Hamilton did not complain that his plight, self-induced, was pitiable. Then Reynolds and Clingman were prosecuted by the comptroller of the Treasury for quite another piece of mischief, and the congressmen, haled to the miscreants' assistance, heard tales with which they confronted Hamilton.

The letters of James and Maria Reynolds, which Callender did not have, showed the husband was a despicable villain and the wife was susceptible or sinister as one chose to read her.⁸⁶ The authenticity of their half-literate missives was not to be doubted. In fact, the entreaties of Maria were calculated to fetch men less responsive than Hamilton, and awake a partiality in the male reviewer to this day when she has so long been dust.

Hamilton included a certificate of a Philadelphia boardinghouse keeper identifying Mrs. Reynolds' handwriting in her letters, another of Noah Webster giving the lie to insinuations of Callender respecting him. Hamilton sideswiped Jefferson by quoting friendly letters of the Vice President to the discredited scandalmonger Fraunces. Lastly he pinned Monroe for his conduct throughout.⁸⁷

Her grandson related an incident showing Mrs. Hamilton's lasting resentment of Monroe's conduct in the Reynolds affair. One of her nephews, then fifteen (not otherwise identified), had been sent to call on her. They were in the garden when the maid came from the house with the visiting card of James Monroe. Holding the card, Mrs. Hamilton said in a low tone, which with her meant anger, "What has that man come to see me for?" On her nephew's urging she consented to see him, and found him standing

in the parlor. She did not ask him to sit down. He made her a little speech—"that it was many years since they had met, that the lapse of time brought its softening influences, that they both were nearing the grave, when past differences could be forgiven. . . ." "She answered, still standing, and looking at him, 'Mr. Monroe, if you have come to tell me that you repent, that you are sorry, *very* sorry, for . . . the slanders . . . you circulated against my dear husband . . . I understand it. But, otherwise, no lapse of time, no nearness to the grave, makes any difference.' " Whereat Monroe took his leave.⁸⁸

While Hamilton's answer to Callender dismissed the more portentous accusation, newspaper paragraphers were busy with the admission of conjugal immorality. "Zanga" (who may have been Beckley), addressing Fenno in the *Aurora*, took him to task for copyrighting Hamilton's pamphlet. ". . . this precious piece of property of yours is not a vindication of the Ex-Secretary, but . . . of adultery. . . ." Hamilton "holds himself out as trotting from one lodging in Philadelphia to another after . . . a prostitute!" His ambition was "to bring a . . . strumpet, to the level of his own personal infamy."⁸⁹ A. G. Fraunces, who had all along been a marplot, attempted to reply to Hamilton's thrusts at him by a series of queries provoked by the pamphlet. Did not Hamilton procure one of Fraunces' letters from Jefferson under false pretenses? "Have not you been the instrument of robbing me . . . of *liberty, health, property, wife, and children?*" The writer became incoherent, but ended with "I speak nothing of the Lady in Market street:—time will shape that!"⁹⁰

The political polemicists of that day knew how to make the most of scandal, especially if it involved sex. Hamilton made such a declaration of his lapse that scribblers against him were robbed of insinuation. However, Cheetham was not particular, and reminded that Hamilton "rambled for 18 months in this scene of pollution, and squandered . . . above \$1,200 to conceal the intrigue from his loving spouse." Saying which, Cheetham with no compunction suggested that Hamilton's roguery was of the bourse, not the bed. "Those who experience the same tender feelings with Mr. Hamilton, may give credit to his tale of shame; but the cold hearted enquirer will more probably assign his profligacy to a different course. . . ."⁹¹ Hamilton was fair game; the dullest could

take a shot at him. Who would have thought, asked a *Chronicle* paragrapher, that the head of our financing department and Mrs. Reynolds would have "jumped together in one notion, and . . . would have been carrying on . . . in Mr. Hamilton's own house. . . ." Mrs. Reynolds made a violent attack on "the virtue of the immaculate secretary," who "fell as compleat a sacrifice to his passions, as ever an old soldier did to his funding system."⁹²

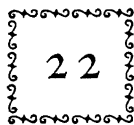
An unexplained sequel of the Reynolds affair was Hamilton's forgetfulness of what he had done with the supporting documents which he printed in the appendix to his pamphlet. He had published the deposit of these papers with William Bingham, with Bingham's permission, where they might be seen by anyone incredulous of Hamilton's narrative.⁹³ At the end of the pamphlet he spoke of "the gentlemen [plural] with whom the papers are deposited."⁹⁴

Two years later Hamilton, in New York, wrote James McHenry, in Philadelphia, an urgent appeal to retrieve these papers from Bingham. Though Bingham was at Lansdowne some miles from the city, McHenry immediately dispatched his servant with a note and in two hours replied to Hamilton, enclosing Bingham's mystifying answer. "It surely must have escaped Gen^l Hamilton's recollection," Bingham wrote, "that the Papers he alludes to, never were deposited with me. After reading the publication, in which he mentioned this deposit being thus made, I was surprized at the omission. . . ." He had not reminded Hamilton of the circumstance because nobody had applied to him to inspect the papers, and he thought it otherwise gratuitous to raise the question.⁹⁵

The episode is strange on several counts. In the pamphlet Hamilton said he had Bingham's permission to be the keeper of the evidence, but Bingham knew nothing of this until he saw it in print. However, in the hurry of bringing out the distasteful pamphlet Hamilton likely took for granted Bingham's willingness. Why did Hamilton not immediately afterward put the papers with Bingham? If he sent them by a friend who failed to deliver them, it was not McHenry, for the latter took pains to say "I do not remember to have seen the papers alluded to." If Hamilton lodged the documents with another, it would have been someone in Philadelphia; Wolcott comes to mind, but this impassioned archive is not among his effects. Where are these letters of entreaty, blackmail, and

reproach?⁹⁶ Why was Hamilton suddenly eager to have them in his hands again?

Curiouser and curiouser, to top these lapses of recollection, Bingham in the summer of 1801, about to embark for Europe, returned to Hamilton "a Packet of Papers which by your Desire were deposited with me; and which have long laid dormant in my Possession. . . ."⁹⁷ No identifiable packet is among Hamilton's papers, but Bingham's wording points to the Reynolds correspondence which he earlier disclaimed receiving.



Preparing for Defense Against France

BEGINNING in the autumn of 1796 and continuing into 1799, Hamilton was penning papers alerting America to mortal dangers from the evil career of France. These became more vehement with mounting depredations on our neutral shipping, insults to our envoys, and subjugation and despoilment of successive European states. "The Stand" (March-April, 1798, signed "Titus Manlius") was the chief of these imprecations.¹ His anathemas were hardly less for the domineering Directory than for our partisans of France who would fit us for national humiliation if not indeed invite military invasion. The last was held up as a genuine danger which yet might be prevented by physical preparation supporting firm negotiation. The excited rhetoric of this piece is not so convincing as at calmer moments Hamilton knew how to be. It paralleled the alarums that were to reverberate a century and a half later against the Soviet menace in the world. But no matter how perfervid his pages, Hamilton could be solemnly eloquent. If we persisted in peace with France at any price, damage to our economy would be the least cost. This, one hoped, might be repaired, but "the humiliation of the American mind would be a lasting and a mortal disease in our social habit. Mental debasement is the greatest misfortune that can befall a people. The most pernicious of conquests which a state can experience is a conquest over . . . that virtuous . . . pride of character, which prefers any

peril or sacrifice to a final submission to oppression. . . . The honor of a nation is its life.”² Hamilton urged full resistance to French violations of our rights as a neutral but, calculating the risk, neither wished nor believed this would precipitate war. A week after he began publishing “The Stand” he outlined his program for the administration. “I look upon the Question before the Public as nothing less than whether we shall maintain our Independence, and I am prepared to do it . . . at every hazard.” Congress should provide more troops, ten ships of the line, defense of principal ports, suspend treaties with France, and borrow in anticipation of new tax revenues. “The election is between tame surrender of our rights or a state of mitigated hostility. Neither do I think this state will lead to general rupture. . . .”³

When Pinckney was repelled by France “with circumstances of indignity,” Hamilton immediately urged on his friends in the Cabinet a program of preparation for war while we repeated endeavors for peace. This was his policy throughout the crisis, though as obstacles to negotiation multiplied he gave his fullest attention to measures of defense. At the first he made no apology for pressing on Pickering “a day of humiliation and prayer” to imbue the country with opposition to atheism; a special session of Congress to appoint a three-man commission to France—Pinckney, Cabot, and Jefferson or Madison; additional revenue; emergency military and naval forces, and arming of merchant vessels.⁴ Six weeks later he was on the same theme—“the expediency of a further attempt *to negotiate*,” “uniting energy [of preparation] with moderation.”⁵

Hamilton relied on the resentment if not belligerency of President Adams toward France as expressed to Congress after our three envoys were insulted by demand for a bribe. The impressions of the British minister, Liston, after free talks with Adams, were the same. Grenville had been encouraging Liston to produce a temporary British-American alliance. Insult to the American ministers at Paris plus arming of American vessels would produce clashes between the United States and France, “which must ultimately lead to . . . open War.” Rufus King, instructed to procure military stores in England, suggested a naval cooperation with His Majesty, who had officers available and ships lacking sailors, while the United States wanted both of these but had seamen. American

conquest of Louisiana and Florida would give satisfaction to the British government; in turn St. Domingo should pass into British hands. British aggressions on American shipping would be avoided as far as possible. Agreement could be concluded in Philadelphia or in London.⁶

Thus instructed, Liston posted to Braintree, where he found the President communicative. Adams ". . . conceived it to be the interest of this country as well as that of Great Britain to . . . concert plans of operation, for the joint conduct of the war against France. . . . if it depended upon him, he would enter into the engagements . . . without scruple and without loss of time." But he must wait on approval on which the people were deliberating. He preferred overtures to come from Britain; Liston suggested exchange of American seamen for a squadron of ships. American warlike preparations were carrying on with zeal, Adams in response to patriotic addresses sought "to enflame . . . animosity against the French Republick."⁷

In succeeding weeks, however, antiadministration outcries, hints from Gerry of peace, with more to come from Logan's volunteer mission, damped mobilization and Adams' ardor.⁸

As often before, Hamilton prepared Washington for a course of action. The antigovernment faction waited only for the opportunity to make this country the open ally, nay the minion, of France. This sentiment was general to the south of Maryland. Would Washington contrive a tour in that quarter which would call forth sentiments of patriotism and resistance? If it came to a fight, Washington must command the army.⁹

The master of Mount Vernon replied that he was profoundly disturbed by the menace of France and of her partisans here. However, the tour that Hamilton suggested lacked excuse and might lack the desired result. If war came, he could not take command unless he was unmistakably the country's choice. Also, in such an event could he count on Hamilton's active help?¹⁰ Hamilton responded that Washington's leadership would be universally required. For himself, he could be most useful as Inspector General, with a command in the line. He might not be chosen, but he would pretend to this post.¹¹

Immediately, through Wolcott, Hamilton was urging on Con-

gress a program of preparedness. The President had been inflammatory in a recent address. This was discreditable. Rather, the President should be empowered at once to raise the ten thousand men already ordered and to collect noncommissioned officers for an eventual army of fifty thousand. A permanent military and naval academy should be established. Six ships of the line, twelve frigates, and a score of smaller armed vessels should be authorized. Should we not free the French colonies? For secret service money and additional funds, Hamilton proposed taxes on hats, salt, luxuries, and a loan of \$10,000,000.¹²

Secretary of State Pickering wished that Hamilton were at the seat of government, and able not only to see all the cards "but to play them."¹³ Had this been the fact, he would have softened the Alien and Sedition Acts. We should not send away foreigners indiscriminately, he counseled. "Let us not be cruel or violent."¹⁴ And three weeks later the draft he had seen of a bill to define treason went to an extreme, inviting the civil war which it was intended to prevent. Dissent must not be erected into division. "Let us not establish a tyranny," he begged Wolcott. "Energy is a very different thing from violence."¹⁵ Afterward Hamilton accepted the laws directed against supposed subversion, and took precautions, as we shall see, that army officers were loyal, but he never showed enthusiasm for a punitive policy which proved the beginning of the end of the Federalists.

Washington did not know on July 4 that he was that day commissioned lieutenant general and commander in chief of the armies of the United States. He had only "a variety of hints" that if the country was invaded, so would his rural peace be ended. He wrote fully to the Secretary of War and the President. The nefarious designs of France, especially to provoke revolution within America, were undoubted. He believed serious invasion unlikely, but if France attempted such he could not shun the field in the highest post if demanded by the country and if he had the naming of the general staff. These principal subordinates "may be considered as so many parts of the Commander in Chief," essential to his efficiency and his reputation. President Adams had declared he must lean on Washington for crucial military advice. Should he rely on the "old Generals, or . . . appoint a young Sett"? Washington was sure that a war with France would impose nimble

tactics. Therefore selections must be made from officers of the late army "without respect to Grade." He defined at some length the qualities imperative in inspector general, quartermaster general, adjutant, and others; they must be not only highly competent, but perfectly confidential.¹⁶

Immediately afterward Washington made clearer to McHenry that, if he was to head the army, he must have the choice of his staff officers. Those he had in mind, he believed, would not serve but with him. If they must be named at once, he would be glad to confer with the President in the selection.¹⁷

Hamilton begged Washington to accept the President's appointment, as it would "give an additional spring to the public mind." Nor could Washington escape responsibility for designation of fit officers. Adams was inclined toward military routine, by which Hamilton probably meant preferment according to seniority.¹⁸ He and Washington were of one mind, that men of enterprise must be put in the principal posts.

Before Washington could receive this letter, he had one from Secretary of State Pickering which sharpened the issue. Pickering was ever Hamilton's enthusiastic admirer. He now urged that Hamilton be made second to Washington "and *Chief* in your absence." Hamilton would not, ought not to serve in a lower capacity. The unspoken concern of everyone was for the supreme command should Washington be disabled or die. Then his second must take the field; on him would devolve defense of the nation. Washington must place Hamilton next to himself, for, said Pickering, President Adams was for giving him less station.¹⁹

Washington agreed that Hamilton's services "ought to be secured at *almost* any price." The difficulty was that should the French be mad enough to invade this continent, they would strike at the southern coast below Maryland as the part weakest, partisan, closest to French possessions, and with slaves to be armed against us. This peril pointed to General Charles Cotesworth Pinckney as first of Washington's coadjutors. He enjoyed high military and public reputation, was of the most influential family connections, was indispensable to Southern resistance, and, being senior to Hamilton, would not be subordinate to him. However, if Pinckney could not return from France promptly, Hamilton might be preferred.²⁰

Hamilton visited Philadelphia, consulted with Pickering and surely with other Federalists. Pickering showed his exchange with Washington to Hamilton, who replied that he would be second to Knox if necessary, but was reluctant to fall below Pinckney also. Pinckney might be willing to change positions. Hamilton thought priority his due; his sacrifice in accepting military appointment would warrant his claim, and public opinion would uphold him.²¹

In the meantime McHenry had spent three days at Mount Vernon. He took back to President Adams, Washington's acceptance of command on condition that he be not called into the field until necessary.²² Washington also sent by McHenry a private and confidential letter that must have surprised Hamilton and gratified him. Knox, for whom Washington expressed "love and esteem," he ranked below both Pinckney and Hamilton. Washington in his tentative list of general officers put Hamilton first, but was fearful lest Pinckney, made junior to Hamilton, would refuse. Anyhow, President Adams must "use his pleasure." Washington hoped all would place national welfare above personal claims.²³ Here was a shift from his earlier, though reluctant, preference for Pinckney. Doubtless McHenry in their conferences had persuaded Washington that public demand was for Hamilton to stand next him. Pickering had written that even Hamilton's political enemies wished him for military commander should accident remove Washington.²⁴

Immediately on McHenry's return to the capital, Pickering informed Hamilton that Washington in his own hand had ranked him first of the major generals, Pinckney second, Knox third.²⁵

Hamilton thanked Washington for this signal mark of his confidence. In accepting the first place under Washington, he felt supported by "a flood of evidence, that a real majority of leading federal men" wished this. He was bound to agree in this estimate, and considered that Knox and Pinckney, particularly the latter, should acquiesce in the arrangement. However, he confided that if the others objected strongly, he would "waive the preference" rather than have it said that his ambition had stood in the way of the public good. He immediately showed his superior concern for the national welfare by declaring to Washington, reluctantly, that McHenry was "wholly insufficient" for the now enlarged business of the Secretary of War. Hamilton had gone to Philadelphia to

try to assist him, but was leaving without result. He foresaw blame cast upon others for McHenry's blissful incompetence.²⁶

Some will pronounce that Hamilton was too eager to put himself forward, too ready to have his pretensions confirmed.²⁷ If so, he was prompted by the seriousness of the crisis as he saw it, by desire for recognition commensurate to his loss of income in distracting himself from his law practice, and perhaps by resolve that he would not be frustrated as during the Revolution. His claims seemed borne out when General Pinckney, with modesty and patriotism that did him honor, applauded Hamilton being placed first, and would have yielded also to Knox to save the latter's feelings.²⁸ Not so with Knox. Washington wrote him considerably, explaining that public demand, as pictured, placed Hamilton first of the major generals, and geographical influence placed Pinckney next. Washington hoped that Knox's zeal would reconcile him to being third.²⁹ Knox's ill-humored reply must have wounded Washington. Knox took it that he had lost Washington's friendship. He questioned that the public placed Hamilton first. He implied that Washington had been deceived. He believed that Pinckney, so much senior in the army of the Revolution, would decline coming below Hamilton. New England must supply most of the troops, but would be without a major general, and more to the same effect.³⁰

Washington sent both of these letters, and a second consoling one to Knox, to Hamilton. He observed that, if the commissions had not actually issued, Knox might be put ahead of Pinckney, particularly if the latter consented. Washington confessed he had preferred Pinckney because he feared invasion in the South.³¹

Knox wrote McHenry, in answer to notice of his appointment as a major general, that he wanted to serve but would not suffer the "public degradation" of ranking below Hamilton. Hamilton deeply regretted that Knox was pained. In a reply for McHenry's signature, Hamilton urged Knox to accept, reserving the right to claim his superior rank dating from the Revolution.³² Still, Hamilton felt that sentiment in the country, including Knox's New England, warranted him, Hamilton, in standing fast, but rather than embarrass Washington, he would still consent to another arrangement.³³

In the give and take of correspondence, Hamilton was ranked

next to Washington by grace of Pickering. "Altho', by the delay of the nominations one day," he wrote Hamilton, "I received your letter expressing your willingness to serve under Knox, yet I concealed it, in order that the arrangement of nominations . . . by Gen^l Washington . . . which I saw would govern, might leave you . . . in the first place."³⁴

President Adams evidently had not understood clearly that Washington made choice of his general officers, and their relative ranks, a condition of serving. Adams declared to McHenry that order of nomination of the major generals meant nothing; what governed was "rank according to antecedent services." Hamilton in his view should have no rank before any major general, and no command in the line. Adams was "willing to settle all decisively" by dating the commissions to give the order Knox first, Pinckney second, Hamilton third. This power was in the President, and he was ready to exercise it. If the question went back to Washington, it would be further vexed. In spite of all meddling with relative rank of generals, Adams declared, "I foresee it will come to me at last, after much . . . exasperation of passions & I shall then determine it exactly as I should now—Knox, Pinckney & Hamilton."³⁵

Much time of all these men—Washington, Hamilton, McHenry, Pickering, Wolcott, with less attention of Adams and Knox—was given to this business of priority. Letters, and copies of letters, crisscrossed, with several times injunctions (unheeded) to burn lest embarrassment follow. Washington knew of Adams' reversal of his intention, from McHenry.³⁶ But to have it officially, he addressed an unusually long letter to President Adams, reiterating his reasons for placing Hamilton first, and as much as saying that he would resign if his wishes were disregarded. He pointed out that while Hamilton had never been a general officer, yet "as the principal and most confidential Aid of the Commander in chief" he could survey the scene of war more broadly than could a division or brigade commander. His civil posts were further entitlements. Then this accurate judge of men went on to give his estimate of Hamilton. "By some," said Washington, "he is considered as an ambitious man, and therefore a dangerous one. That he is ambitious I shall readily grant, but it is of that laudable kind which prompts a man to excel in whatever he takes in hand. He is enter-

prising, quick in his perceptions, and his judgment intuitively great: qualities essential to a Military character, and . . . his loss will be irreparable.”³⁷

Confronted with this ultimatum of George Washington, President Adams backed down on every count, agreed that Washington's preference would be confirmed by him.³⁸ Knox, in a huff, refused to serve because his previous rank was disregarded. He complained to McHenry, “. . . Mr Hamilton's talents have been estimated upon a scale of comparison so transcendent, that all his seniors in rank and years of the late army, have been degraded by his elevation.” Knox could not “act under a constant sense of public insult and injury.”³⁹ Pinckney behaved handsomely, declaring to McHenry, “it was with the greatest pleasure I saw his name at the head of the list of the major-generals, and applauded the discrimination that had placed him there.” Pinckney immediately sent Hamilton word that he was gratified to serve under him. Further, he would have yielded to Knox had not the latter made such a point of precedence.⁴⁰

Six months after Hamilton had been placed ahead of Knox, and Knox had resigned his commission in protest, Hamilton in a personal letter tried to soothe the feelings of his old friend. He had struggled between attachment for Knox “and the impression of duty,” that is, to accept the responsibility for which he was chosen by others.⁴¹ This effort at propitiation could not be a success, for the turn of events did proclaim Knox less qualified for the post, second only to Washington. Had Knox taken the generous attitude of Pinckney, any reflection on him would have been canceled by his patriotism. As it was, he did not preserve his dignity, and suffered in public esteem.

Knox was far from being mollified by Hamilton's explanation. A few weeks later he mentioned to a friend “the insult offered me. . . . The faction[,] the miserable animals who were the cause of it[,] are known to me, and ere long they will be compelled to hide their heads in their original obscurity.”⁴² Poor Knox was struggling under debts which “must be paid or General Lincoln and myself must both be committed to goal [*sic*].”⁴³

Hamilton's service as inspector general in the military preparations against France, 1798–1800, though invited by him, was an unfortunate interlude in his career. It was the only time in his life

when his best efforts were ineffectual.⁴⁴ The main reason was that the occasion for the enterprise ceased by the time he was well launched in it.⁴⁵ Perhaps the fact that America was readying for war helped produce the French overture for renewal of treaty negotiations, and thus Hamilton's exertions had an indirect result superior to their overt purpose. He worked immediately under Washington as commander in chief, but Washington declined responsibility unless and until the forces were called to the field. This made Hamilton the commander in fact, and, as we shall see, he was even obliged to exercise much of the duty of the Secretary of War. But all that he undertook, beyond the limited mandate of Congress, was subject to decisions of President John Adams, from which Hamilton, and indeed Adams' Cabinet ministers, were excluded. Between Hamilton and Adams were mutual hostility and suspicion, generated in the national election of 1796, when Hamilton had preferred Thomas Pinckney as the Federalist candidate. Adams had given Hamilton the chief military post under Washington against his will, only because of Washington's ultimatum. Also, when the scales fell from Adams' eyes, he was resentful of Hamilton's unofficial dominance of his Cabinet. Thus isolated, and suffering from hurt pride, the President was capricious and sudden in the use of his undoubted authority. The administration was a house divided against itself. All that Hamilton did in the demanding business of military organization was subject to unguessed contingency.

Not only was American policy toward France fortuitous, but the project of adding to our military strength collided with Democratic objection. The Alien and Sedition Acts, especially the latter, justly provoked suspicion that mobilization was as much for repression of dissent at home as for defense against invasion, especially as foreign menace did not materialize. The land tax and borrowing at high interest necessary to augmenting the army swelled the protest against intended tyranny. Hamilton and Adams were better agreed on the sedition policy than in other respects, but here the President, as Hamilton thought, was at first too vigorous in prosecution and later too lenient.

The skeleton army, which Hamilton inherited, was dispersed, ill administered, and the object of popular dislike of any standing force. Hamilton, as inspector general, found no competent system

which he could expand. Instead, he had to make rules and recruits at the same time. The Secretary of War, James McHenry, who was responsible, nominally at least, for the prior neglect, was incapable of reform on an enlarged plan. He was Hamilton's old friend, liked and respected, so he could not be replaced or openly complained of. Willing enough, but devoid of ideas or force, he must somehow be induced to do what it would have been simpler to accomplish without him. Routing business through the War Office at Philadelphia, while Hamilton made headquarters at New York, was delaying.

Hamilton explained to Wolcott that it suited his professional convenience to remain inactive in the beginning, as was expected of general officers, but that he felt obliged to aid McHenry, who was unable to cope with mobilization alone.⁴⁶ He enclosed a copy of his recent advice to McHenry, in which he had "sacrificed . . . delicacy to . . . friendship & public zeal," begging that the Secretary apportion duties to Knox and himself and be free for "a general but vigilant superintendence."⁴⁷ Wolcott replied that Hamilton must come on at once, "with the expectation of being *Sec^y of War in fact.*" McHenry, with many virtues, had not the skill for comprehensive authority.⁴⁸

One of Hamilton's conjectures was ambitious and remote—namely, in event of war with France, seizure of Spanish territory on this continent and, with the cooperation of a British fleet, liberation of Spanish colonies in South America. By contrast, much of his work was routine, or confined him to petty details which subordinates far down the line should have dispatched had there been such helpers. Hamilton had only a single aide, Captain Philip Church, his nephew, who must do the copying and as much of the other drudgery as he could manage, though a secretary was added later on.⁴⁹ A large proportion of the reports and other communications, often descending to trifles, are in Hamilton's hand.

In diminishing degree throughout his military assignment Hamilton's mind and time were distracted to law clients in cases held over, and to claims of Federalist leaders who looked to him for political advice. He could not, by donning his uniform, step cleanly out of his civilian character and pursuits. Pickering, the Secretary of State, and Wolcott, of the Treasury, were far more self-motivating than McHenry, but they continued their calls upon

Hamilton in devising governmental and fiscal plans for Santo Domingo and reviewing revenue proposals here. The latter aid, by choice or necessity, was given behind President Adams' back or at least without his participation. Except when Congress was in session, Adams removed himself to Quincy. Besides, on occasion Hamilton added to his complications by intervening in policy matters not within his military jurisdiction, in spite of the President.

As a further item, Hamilton's health during this period was poor, several times sending him to bed or slowing his work. He remained in New York in spite of the severe yellow-fever epidemic that gripped the city in 1798.

Fear of subversive individuals and of internal outbreaks which possessed the administration (and indeed Congress, as expressed in the Alien and Sedition Acts) dictated that recruits to the army, especially officers appointed, should be loyal. "A Virginian" in the hostile *Aurora* quoted restrictions laid down by McHenry to a militia officer of that state. He should not accept the services of volunteer companies "composed of disaffected persons who might from improper motives . . . intrude themselves into the army, under the pretence of Patriotic Association. . . ." The correspondent stigmatized the Federalists' "Pretorian Bands" which were to be instruments of "Party Persecution." Every member should be ready at command to "imbrue his hands in the blood of a fellow citizen, a neighbour or a brother, should the president or his Little Mars [Hamilton] think proper. . . ."⁵⁰

Hamilton of course insisted on soldiers faithful to this government, but, that assured, he did not demand that the officer corps be composed exclusively of Federalists. Several nominated were refused appointment by the Senate, McHenry learned, because "anti federal," "nobody," "opposed to the Government and of French principles," and so on. Rejection of Caleb Gibbs was a regret to Hamilton on several counts, mainly his superior fitness for command of a Massachusetts regiment. "Their rule of judging of military qualification is most likely no very accurate one. . . . the objection against Antifederalism has been carried so far as to exclude several of the Characters proposed by us. We were very attentive to the importance of appointing friends of the Government . . . , but we thought it well to relax the rule in favor of particular merit in a few instances. . . ."⁵¹

Nor did Hamilton balk at alien, even French, birth. He recommended his old friend Colonel Lewis Tousard to be inspector of artillery, a critical post. President Adams demurred, but conceded that Hamilton's reliance would have great weight.⁵² He dissented more emphatically to McHenry. He did not know why Hamilton favored Tousard, but "an angel with the name & tongue of a Frenchman would not in a French war have the confidence of this nation."⁵³ Some months later John Rutledge, Jr., thought he had removed Adams' fears, and urged Tousard to apply to Hamilton for the appointment. ". . . Hamilton's mind is much too great to be susceptible of any of these prejudices which unfortunately exist in the fountain of Power. . . ."⁵⁴

The paths of Hamilton and Burr seemed destined ever to cross. Burr offered as a brigadier, and Adams was eager to have him appointed, but Washington refused because, though brave, he was an intriguer, and Hamilton was not more favorable. This was Adams' account, and he added that Washington "had compelled me to promote, over the heads of Lincoln, Gates, Clinton, Knox, and . . . Pinckney, one of his own triumvirate, the most restless, impatient, artful, indefatigable and unprincipled intriguer in the United States, if not in the world, to be second in command under himself, and now dreaded an intriguer in a poor brigadier!"⁵⁵

In assigning troops to quell the rising in Northampton County, Pennsylvania, Hamilton sent orders to Major Ford, near Morristown, by General Jonathan Dayton; not knowing Ford, he asked Dayton's confidential opinion of his "character as an Officer and as to political principles."⁵⁶ Both his sword and his suffrage were certified right.⁵⁷

Recruiting of the additional regiments, which was a principal care of Hamilton, was delayed in commencing, and then lagged. The Secretary of War had difficulty in meeting the increased demands on his office; districting of the states and commissioning of officers were late and, most of all, the clothing contractors failed to deliver the necessary uniforms. Hamilton, exerting himself against these and more obstacles, must have flinched under Washington's remonstrances, earnest enough in an official letter at the close of winter, 1799, and with more emphasis in a private one the same day: "If the augmented force was not intended as an *interrorem* [*sic*] measure, the delay in recruiting it, is unaccountable,

and baffles all conjecture. . . . The . . . enthusiasm . . . excited by the Publication of the Dispatches of our Commissioners at Paris (which gave birth to the Law authorizing . . . the twelve Regiments &c) are evaporated. It is now no more, and if this dull season, when men are idle . . . and from that cause might be induced to enlist, is suffered to pass away also, we shall . . . set out as a forlorn hope, to execute this business." He continued at length.⁵⁸ Though Washington did not know it, President Adams that very day nominated the new mission to France, which further sapped military ardor.⁵⁹ A month later Washington spoke not of the army, but "more properly of the embryo one, for I do not perceive . . . that we are likely to move beyond this."⁶⁰

Finally, however, with nine hundred workers on the uniforms⁶¹ stitching away, and hired civilian drummers and fifers rallying to the colors,⁶² Hamilton could report to Washington his hope "that in the summer and fall the army will be at its complement."⁶³

Certain districts were antagonistic to recruiting, unless war was declared, and these Hamilton directed should be avoided as it was "important to guard the principles of the soldiery from being perverted."⁶⁴ Hamilton as commanding general of the army was called upon to give orders for suppression of the rebellion, if such it was, in Northampton and contiguous counties of Pennsylvania known by the name of John Fries. He was officially informed of it barely in advance of receiving the President's proclamation against "combinations to defeat the execution of the Laws, for the valuation of Lands, and Dwelling houses. . . ." More than a hundred persons were reported guilty of acts amounting to levying war against the United States. The President was determined to call forth the military in aid of the marshal. McHenry explained to Hamilton that a body of regular troops would reduce the call of Pennsylvania volunteers (under Brigadier General Wm. Macpherson) and operate more forcibly on fears of the insurgents. McHenry had ordered units from Frederick Town, Maryland; Carlisle, Pennsylvania, and Fort Mifflin, and Hamilton would direct others from West Point, New Brunswick, and perhaps Morris Town and elsewhere. All was placed in Hamilton's hands,⁶⁵ and he acted forthwith.⁶⁶ Plainly reverting to his precedent in the Whisky uprising five years before, he was for swift, formidable measures. He counselled the Secretary of War, "Beware of magni-

fyng a riot into an insurrection by employing in the first instance an inadequate force. 'Tis better to err on the other side. Whenever the Government appears in arms it ought to appear like a *Hercules*, and inspire respect by the display of strength. . . . expence is of no moment compared with the advantages of energy," though of course judgment should be used. A large force should be put under provisional marching orders "as an eventual support of the corps to be employed to awe the disaffected." He pointed to auxiliary cavalry from four states.⁶⁷ Not obliged, as before, to wait on the slow response of militia, he could now supply an advance force from the different garrisons. Next day Captain John Henry was on his way to the disturbed district with a detachment of one hundred from Fort Jay, New York.⁶⁸ Soon Macpherson was going forward with 240 horse and two companies of artillery in support. He was sure the insurgents were led by officers commissioned by Pennsylvania.⁶⁹ Mcpherson sent along Judge Richard Peters, of the United States District Court, to aid in commitments to prison.⁷⁰

Wolcott, however, was lamenting to Hamilton that this insurrection had been allowed to run on too long and might encourage more formidable rebellions. All at the capital was "languor & indecision," and "we have no Pres^t here. . . . The Governor is habitually intoxicated every day & most commonly every forenoon."⁷¹ Hamilton reported to Washington much the same view; feeble measures of government permitted the disturbance to expand and deepen.⁷²

However, a month later Macpherson notified that order was restored; he had dismissed his troops, though regulars under Hamilton's command should remain in Reading, Allentown, and Easton.⁷³ Obstruction to the laws could not be allowed, but features of the opposition show that the danger was much exaggerated by those, Hamilton included, whose apprehensions were roused by party and international tensions. As we shall see, Hamilton held it against Adams that in the end he pardoned Fries. The mistake of the Federalist administration was in confounding criticism with crime.⁷⁴

McHenry's friends agreed that, with the best disposition to make the War Department answer all demands, he was inadequate to his duties. Hamilton, in reluctant candor, early informed Washington

that "McHenry is wholly insufficient for his place, with the additional misfortune, of not having the least suspicion of the fact." Expansion of the army could not "make any tolerable progress in his hands." Hamilton had tactfully offered to relieve McHenry in suitable assignments, but without result.⁷⁵ Washington regretfully concurred that McHenry's talents were "unequal to great exertions or deep resources."⁷⁶ Wolcott, though personally not favoring the larger army,⁷⁷ preferring emphasis on the navy, repeatedly echoed this opinion. "Mr. McHenry does the best in his power, yet his operations . . . confirm more and more a belief of utter unfitness for the situation."⁷⁸

In solicitude for McHenry and the service, Hamilton offered broad hints to the secretary or tried oblique means of stimulating him. McHenry did not know how to depute responsibility, but clogged himself with minor matters. Hamilton improved an early opportunity "to present to consideration this important rule, that the efficient execution of any extensive branch of military service can only be . . . by confining the principal actors to general arrangement, & by . . . employing competent organs and leaving to them the more minute details."⁷⁹ Earlier he suggested that Washington request from McHenry an inventory of supplies and munitions and a statement of future means. "This will give you necessary information, and prompt to exertion."⁸⁰ Months later Hamilton forwarded to Wolcott, in confidence, a copy of his program, submitted to McHenry, for providing and issuing military materials. "Make the Secretary of War talk to you about it, without letting him know that I have sent it to you. And urge . . . some plan which will effectually organize this important branch. . . ."⁸¹

Hamilton, practically alone, devised the principal features of the establishment—recruiting, discipline, and tactics, mobilization, hospital department, and preliminaries of a military and naval academy. Thus he laid the foundations for the national defense system, save for the militia, for the practice of the Revolution was *ad hoc* and little progress was made in the years following. He planned for expansion and amendment, so that outlines need not require change.⁸² The same grasp which he had shown in contriving the fiscal system a decade before was now exhibited again in another area, with the difference that military organization was

more limited in scope. In both instances, standing at the beginning of development, he had to create before he could use or administer. Later secretaries of the Treasury and inspectors general fell heir to, and of course improved as experience taught, what he provided. In both cases he was guided in his reforms by what he had witnessed during the war and subsequently. Hamtramck said truly, "America will see once more those military talents which were confined in their execution to too small a compass . . . now diffuse themselves into every Department. . . ." ⁸³ Hamilton promised Washington there would be no want of exertion on his part to promote the branches of the military service assigned to him. But he cautioned, "I more and more . . . apprehend that obstacles of a very peculiar kind stand in the way of an efficient and successful management. . . ." He could not explain at present, but in future confidential reports would designate the President and Cabinet members by letters which he gave. ⁸⁴

For several months after his appointment as inspector general Hamilton was devoting much of his time to preparations for reorganizing the army, but no provision was made for paying him a salary. Beginning in October 1798, he was summoned to Philadelphia to confer with the commander in chief and Secretary of War, and devoted six weeks to this. He acquiesced in President Adams' request that the generals receive no pay until called into actual service. But by the first of the new year, 1799, Hamilton had forfeited more than half his income from law practice and it was further diminishing. With a wife and six children to support, he would be obliged to reduce his sacrifices to the public unless his army pay, comparatively scanty at best, should be commenced. ⁸⁵ This brought quick response, Adams directing that he be considered formally on duty from November 1, 1798. His salary, with allowances for subsistence and forage, was \$268.35 a month, ⁸⁶ which was about a fourth of what he had earned as a lawyer.

After some delay in the hands of Adams, ⁸⁷ Hamilton received his general orders from the War Department, which actually, at the secretary's request, he had defined. Since Washington held himself in reserve, pending field operations, principal command fell to Hamilton. Under him were placed the garrisons on the Great Lakes, both banks of the Ohio, and down the Mississippi, and those in Maryland and above. The entire recruiting service was in his

charge. General Pinckney commanded all posts and troops in Virginia, the Carolinas, Georgia, Kentucky, and Tennessee. Brigadier General Wilkinson was Hamilton's immediate subordinate on the far frontiers, with itinerant headquarters.⁸⁸ He had been a marplot during the Revolution where Washington and Hamilton were concerned, and again later was to serve more than one master. Under Hamilton's command he was pompously obsequious. It was fortunate that their relations were cordial, for Wilkinson's contacts with the Spanish authorities required him to be diplomat as well as soldier. Care was used in dealings with him. His reports to Hamilton were to be sent open to the Secretary of War for forwarding. McHenry informed him of the arrangement in a letter apparently written by Hamilton,⁸⁹ and Hamilton made many corrections in his own draft of orders summoning Wilkinson from the Mississippi for personal conferences. Our situation vis-à-vis foreign powers made such discussion at the seat of government necessary. In deputing military authority in his absence, Wilkinson must warn his subordinates against any act that would commit this nation prematurely.⁹⁰ Hamilton submitted this for McHenry's approval.⁹¹ Opening his official correspondence with the inspector general, Wilkinson expressed "the high satisfaction I feel, at finding myself under orders of a Gentleman, able to instruct me in all things."⁹²

Hamilton immediately set about bringing system to the units under his command. Notifying local officers that reports would hereafter be made to him, not to the Secretary of War, he required regular and exact information on works, troops, arms, supplies, discipline. Laxness which he believed existed must be corrected.⁹³ He required that Major J. J. U. Rivardi, commanding at Niagara, make a special survey of that region for both defense and trade purposes, and report to him in person.⁹⁴ This was a chapter in completion of the Jay treaty which Hamilton had so sedulously promoted.

When the dozen additional regiments and the much larger provisional army were authorized, the spur was fear of invasion by France. Under this excitement Washington, Hamilton, Pinckney, and other principal officers were haled. Hamilton forsook his rewarding law practice in the supposed national emergency. As it

turned out, pending expansion in the forces, administration of the existing army demanded his attention. Efficiency in the garrisons was necessary if new units were to be formed, but much of the oversight could have been discharged by any experienced officer, and a deal of it was petty, unworthy of Hamilton's time or thought. The records of these months of mere supervision would never have survived, or at least been noticed by posterity, except for being in Hamilton's hand or bearing his name. Such was his nature, however, that he performed all with exactitude and, where there was the least warrant, with zeal.

His review of the sentences of courts-martial illustrated his care. No departure from procedure, justice, or policy escaped his scrutiny.⁹⁵

Though routine, these were matters of moment, at least to the individuals concerned, but much that was referred to him was trifling. A surgeon's mate is complained of,⁹⁶ what to do with a deserter apprehended after three years?⁹⁷ A post commandant wants discharge of his son, enlisted as a drummer, because he has a swelling on his neck that unfits him for duty.⁹⁸ Some remonstrate against the change of buttons, in the artillery uniform, from yellow to white metal, as yellow is less apt to be tarnished by powder.⁹⁹ Lieutenant Zebulon M. Pike (he of the Peak) has brought a young lad, son of a soldier, from the Mississippi to Pennsylvania. May he, according to downriver custom, draw rations for the boy?¹⁰⁰ Hamilton had warned McHenry to depute to others where he could, with the result that Hamilton received these trivia.¹⁰¹

One item, seemingly minor, Hamilton thought fundamental, and wrote about it earnestly to McHenry and commanding officers. He was informed that "the Hats . . . received for our Recruits are not three cornered but round Hats; sans buttons, loops, cockades, or bands, and of . . . base stuff" and workmanship.¹⁰² Hamilton immediately objected that this was poor economy. "Nothing is more necessary than to stimulate the vanity of soldiers. To this end a good dress is essential," or "the soldier is exposed to ridicule and humiliation." The hat "ought to be delivered with its furniture complete," for the men could not and should not be expected to procure accessories for themselves.¹⁰³

An assignment congenial to Hamilton was that of supervising the erection of defenses of New York harbor, to which he was ap-

pointed by Governor Jay and President Adams. The state made the appropriation of \$150,000, which was to be laid out with approval of the national government.¹⁰⁴ Hamilton was already serving on a citizens' committee with Aaron Burr and Colonel Ebenezer Stevens.¹⁰⁵ This would have been among the last occasions of his close association with Burr before the presidential election of 1800 which signaled commencement of their bitter enmity.¹⁰⁶

Hovering in Hamilton's mind while he was inspector general was a project of seizing Florida and Louisiana from Spain and, with the cooperation of a British fleet, separating Venezuela and perhaps the remainder of her South American colonies from Spanish rule. The inciter of this scheme, who assiduously nourished it over a period of years, was Francisco de Miranda (1750-1816). Born in Venezuela, he was a soldier of fortune, yeasty with the spirit of liberty, a minor Lafayette, less effective, more romantic. He fought in the American Revolution, commanded French forces in 1793 but was disillusioned after the advent of Napoleon, and was expelled from France. He thenceforth approved the American Federalist system as the pattern for governmental freedom everywhere. He was a highly charged enthusiast, a visionary plotter, a forerunner of the liberation of Spanish America.¹⁰⁷

Miranda talked with Hamilton and other friends in 1784, and eight years later believed the time was ripe "for the Execution of those grand & beneficial projects we had in Contemplation, when in our Conversation at New Yorck the love of our Country exalted our minds with . . . Ideas, for the sake of unfortunate Columbia."¹⁰⁸ From these rhapsodies Miranda preserved, in Hamilton's hand, a list of some thirty officers presumably fit for an ambitious campaign against Spanish possessions. Washington, Greene, Knox, Lafayette, Steuben, St. Clair headed the roster, which must have been made earlier and perhaps for another purpose, since two of those included, Colonels Barber and Laurens, were dead in 1784. Knox copied Hamilton's names and supplied estimates of the expense of raising, equipping, and supporting for a year an army of five thousand (infantry, cavalry, and artillery, with appropriate services).¹⁰⁹

Miranda's ambitions did not abate. In 1798 he sent, from London, a fellow revolutionist with dispatches for President Adams

and confidential messages for Hamilton. The moment approached when "the establishment of liberty on the whole continent of the New World is . . . entrusted to us by providence." He had agreed, apparently with the British, who were to be drawn in, on a suitable form of joint government for the emancipated country. Particularly, "we should like to have you *with us* for this important object." Hamilton must not refuse at the critical moment.¹¹⁰

Hamilton replied to Miranda with cautious encouragement. He sent this answer to Rufus King, as Miranda had directed, but with the option that King should deliver it or not as circumstances warranted. "With regard to the enterprise in question," he confided to King, "I wish it much to be undertaken, but I should be glad that the principal agency be in the United States," which should furnish the whole land force. "The command in this case would . . . naturally fall upon me, and I hope I shall disappoint no favorable anticipation. The independence of the separate territory under a moderate government, with the joint guaranty of the co-operating powers, stipulating equal privileges in commerce, would be the sum of the results to be accomplished." America, though fast ripening, was not quite ready for the project. Negotiation, such as he had already recommended, would mature the resolve.¹¹¹

His letter to Miranda, which King might suppress, explained that the emissary had not arrived, so Hamilton must guess at particulars: "The Sentiments I entertain with regard to that object have been long since in your Knowledge. But I could personally have no participation in it unless patronized by the Government of this Country. It was my wish that matters had been ripened for a Cooperation in the Course of this fall on the part of this Country. But this can now scarcely be the Case." If the winter developed the proposal, "I shall be happy in my official station to be an Instrument of so good a work." The plan should be conditioned on a British fleet, a United States army, and a government for the liberated territory agreeable to these partners. "To arrange the plan a Competent Authority from great Britain to some person here is the best Expedient. Your presence here will in this Case be extremely essential."¹¹²

King (who, it developed, was as eager for the enterprise as Hamilton, or more so), gave this letter to Miranda, who answered that all had progressed as Hamilton wished. ". . . we await only

the fiat of your illustrious Pres. to leave like lightening. . . . Let us save America from the frightful calamities that, in upsetting a large part of the world, threaten with destruction the parts which are still whole." His messenger had detoured to South America where he postponed a partial revolution until the United States and Britain could join to "save the whole world which totters on the brink of the abyss!"¹¹³ King had prepared the way with Britain for this lightning action the moment America was ready. What Hamilton had suggested—though Pickering remained unresponsive to King's pleas—was approved by the British government. He was obtaining a map of the country in question (*Venezuela?*).¹¹⁴

Though Hamilton replied to Miranda guardedly, he was more responsive than he had recently intended to be. A couple of months before, when Miranda wrote from London on the same project, Hamilton endorsed the cover: "Several Years ago this man was in America much heated with the project of liberating S. America from the Spanish Dominion. I had frequent conversation with him on the subject & I presume expressed ideas favourable to the object and perhaps gave an opinion that it was one to which the U States would look with interest. He went then to England upon it—Hence his present letter. I shall not answer because I consider him as an intriguing adventurer."¹¹⁵

At the opening of the new year, 1799, King in London was begging Hamilton for God's sake to attend to the subject of his recent ciphered dispatches to Pickering, the Secretary of State. The time had arrived to accomplish the main object; "Providence seems to have prepared the way, and . . . pointed out the instruments of its will. Our children will reproach us if we neglect our duty. . . ." When a force was united against France "will be the moment for us to settle . . . the extensive system of the American nation. Who can hinder us? One nation alone has the power; and she will co-operate in the accomplishment in South America of what has so well been done in North."¹¹⁶

At just this time Hamilton opened himself on this subject to Harrison Gray Otis, who in an official capacity as a member of the House had asked pertinent questions. Hamilton hoped Congress at the present session would empower the President, in case differences with France had not been terminated by next August, to declare war on that country. We would use our forces to frustrate

her hostile designs either directly "or *indirectly through any of her allies*" (read Spain). This course would give time for negotiation or, that failing, "would tend to reconcile our citizens to the last extremity. . . ." He would leave the way open for accommodation, but if France attempted to take the Floridas and Louisiana, we should be prepared to defeat the design. These regions were the key to the Western country; he had long considered their acquisition "essential to the permanency of the Union. . . ."

He went further. If universal empire was the ambition of France, what could better counteract it "than to detach South America from Spain, which is only the channel through which the riches of *Mexico and Peru* are conveyed to France?"¹¹⁷

The next development was a letter to Hamilton from Christopher Gore, in London, sending for possible anonymous publication a lengthy manuscript of his, "The Present State of the United States, and the Consequences of not adopting vigorous . . . measures of war against France." It was manifestly the product of Gore's cordial exchanges with King. America could look to England for "heartly cooperation in any . . . liberal Plan for emancipating all the Settlements of North, and South America held by the Spaniards." With emotion he exhorted to violent vengeance.¹¹⁸ Though hesitant because he had been unable to learn President Adams' views, King was inclined to advise publication of Gore's reflections.¹¹⁹ From the fact that they are now found, in pristine condition, bound in Hamilton's papers, the bellicose Gore had his pains for nothing.

Maybe in recommending that Wilkinson be promoted to major general Hamilton was squinting at an attack on Spanish Florida and Louisiana. Hamilton thought Wilkinson's pretensions were good and his faithfulness to the government would be ensured by rewarding his zeal.¹²⁰ The agenda Hamilton had drawn up for conversations with Wilkinson began with means of preserving peace on our frontiers with Spain, but also, in the event of rupture, the forces necessary for "attacking the two Floridas."¹²¹ For once McHenry was more knowing than Hamilton. He cautioned that Wilkinson would not deserve the confidence of government until he had severed his commercial (and he implied political) connections with the Spanish. Moreover, he earnestly begged that Hamilton "avoid saying any thing to him which would induce him to

imagine government had in view any hostile project, however remote, or dependent on events, against any of the possessions of Spain. I require this caution on good grounds."¹²²

By the time Miranda applied to Hamilton again in October, 1799, overtures of France for renewal of negotiations, and their provisional acceptance by the United States, were known in London. This suspended expectation of a declaration of war by this country on France and consequently any warlike action against her ally, Spain. Therefore Miranda's hopes of American participation in his design to liberate Spanish colonies had shrunk. He contented himself with asking Hamilton, "tell me confidentially if I should in any event find with you the small help which we need to give the first push (*les petits secours dont nous avons besoin pour donner l'impulsions première*)."¹²³

The evidence in this episode of Miranda's intrigue touching the United States has been given more fully than would otherwise be needed because some historians have freely said that Hamilton had imperialist ambitions. Further, his disappointment at the settlement with France was sharper because with it vanished his chance of generaling an attack on Spanish America which would have gratified his military self-esteem.¹²⁴

These allegations have color, but must be taken in their shading. France was despoiling and had insulted us. We were in effect at war with her on the seas. Hamilton was charged with preparing our land force to meet feared invasion. Spain had extensive possessions on this continent which she might at any time turn over to France, her ally. President Adams, though afterward readier than others to be pacific, had been unequivocally aggressive. Thus the contingencies of war counseled calculations against Spain which Hamilton, with others, actively entertained.

However, he was scrupulous not to commit the government; he gave no assent which he could not reverse. When the prospect loomed of honorable agreement with France, he accepted and declared it the part of wisdom. That, he perfectly knew, was the end to any enterprise against Spain, though he continued to cherish the hope that the United States, by some means, would secure entire sovereignty on this continent, as was evident when he soon welcomed purchase of Louisiana.

Suspicion that Hamilton was eager to have a leading part in

conquering Latin America, including perhaps the French and Spanish West Indies, is founded not on the documents but on the temptation to type him. The picture raised is that of a politician out of power who avidly seized on the chance to satisfy his earlier longing for military exploit. When this opportunity was dashed he was rancorously resentful. It is true that passages of his ill-conceived attack on President Adams were to give ground for such a supposition, but he offered enough reasons for his pique without our reading in another. The fact is that Hamilton, like every person of gifts and sincerity, may not be thrust into a category. Particularly if disparagement is intended, one should remember his patriotism and intelligence.¹²⁵

Hamilton was called on for total advice concerning relations of the United States to Santo Domingo, or rather to Toussaint who had made himself master of that island. Earlier, when Secretary of the Treasury, Hamilton had been doubtful of the fiscal and political expediency of sending food to the sufferers from the slave revolt if we expected to be credited with these sums on account of our debt to France. He approved the relief on humanitarian grounds, and it was given and increased.¹²⁶ Six years later, when we were tense about our rights rather than our duties respecting France, Pickering reminded Hamilton that a new law allowed the President to open intercourse with any part of the French dominions if the safety and interest of the United States would admit of it. The main object was commerce with Santo Domingo. If Toussaint could be sure of this, he would declare the island independent, and Britain would of course sanction this act. A condition on our part would be that Toussaint set up a good administration, provide a succession, and have a simple but effective plan of revenue to support army and government. Would Hamilton please favor with his ideas?¹²⁷

He answered instantly that provision of law was ample, but that we must apply it with caution: "The United States must not be committed to the independence of St. Domingo. No guaranty— . . . nothing that can rise up in judgment." Toussaint should first declare independence, but he could be assured, verbally, that this done, we would trade while he continued to give protection to our vessels. Hamilton would write further.¹²⁸ Obviously, he did not want this government to take a step which we could not re-

trieve, for he sensed that, as the fortunes of France were low, accommodation with her might be in the offing, as indeed was the case. Pressure of duties and sickness¹²⁹ helped to delay his fuller advice. Pickering had to jog him with news that Hamilton's boyhood friend of St. Croix, Dr. Edward Stevens, had been named our consul general to Santo Domingo, and awaited his instructions for departure in a few days.¹³⁰

When Hamilton complied he protested that haste—which shows in the handwriting—prevented him from offering “any thing worth having.” He outlined a scheme of government for Santo Domingo which Stevens might recommend. It was frankly a military autocracy, founded on the history of the island, on Montesquieu's tenet “that a government must be fitted to a nation, as much as a coat to the individual,” and on Hamilton's knowledge of the West Indies.¹³¹ Hamilton would have suffered had the opposition press, fond of calling him “Little Mars,” “leader of the monarchists,” and worse, got hold of this terse plan! “No regular system of Liberty,” he began, “will at present suit St Domingo. The Government if independent must be military—partaking of the feudal. . . . A hereditary Chief would be best but this I fear is impracticable.” He proposed “A single Executive to hold his place for life,” his successor to be either the officer next in rank or one chosen by a plurality of commanders of regiments. All males within certain ages to be “compellable to Military service” on pain of forfeiting tenure of land. The supreme judiciary authority would be in twelve judges chosen for life by the chief military officers, with trial by jury in criminal cases. All laws decreeing corporal punishment or laying taxes to originate with the executive and be passed upon by the assembly of commandants. “All other laws to be enacted by the sole authority of the Executive,” who would have powers of war and treaty. He would advise with three ministers—of finance, war, and foreign affairs—who would be approved by the generals.¹³² Courts-martial must be composed with care. Revenue would come chiefly from taxes on imports and exports, on lands and buildings.¹³³

If the additional regiments that he had been recruiting were to be dismissed, Hamilton was resolved to leave at least the plans for

an army for future use. These were commenced before approaching disbandment was certainly known, and news of that intention by Congress only intensified his efforts. He wanted to work out regulations for the exercise of troops in camp and in battle and for police of garrisons, to carry further the manual prepared by von Steuben a dozen years before and include discipline and tactics for cavalry and artillery. He himself, after study, wrote out in great detail what applied to the infantry,¹³⁴ and sent the portion covering regimental maneuvers to General Pinckney and two colonels for criticism.¹³⁵

A special item in Hamilton's effort to provide the army with approved practice was his study of the length of the infantryman's marching step corresponding to several speeds or, as he said, velocities. He commenced and pursued this when it was evident that mobilization would be discontinued. Perhaps the particularity of the subject was a certain consolation for the sacrifice of his much larger plans. He was already promoting his aims for the Federalists in the coming presidential election, favorable to Charles Cotesworth Pinckney and hostile to John Adams. But that ambitious, chancy political project did not distract him from pressing his minute inquiries into the pace of bodies of troops. The episode illustrates his faculty for combining the little with the big, his ability to give effective attention to schemes of scope and to comparative trivia at the same moment. He procured British and French military manuals, sought advice of fellow officers, and directed practical experiments that should record nature of the ground, height of the soldiers, weight of the pack, and distance covered in this or that period of time. He was persuaded that length of the step increased with speed and preferred a pace intermediate between the extremes of those prevailing in different services.¹³⁶ The assignment for the artillery he committed to his trusted Major Lewis Tousard with the help of Major Hoops and Captain George Izard.¹³⁷ They tasked themselves for six months.¹³⁸

Similar directions for the cavalry were committed to Brigadier General William Washington and Lieutenant John DeBarth Walbach, busying themselves at the headquarters of General Pinckney at Shepherdstown, Virginia.¹³⁹

From Hamilton's first service in the army in 1776 his special

attention to the clothing of his company was noted. His insistence as inspector general on trim appearance of the troops ended in his drawing up plans for new uniforms.¹⁴⁰ A printed "Bill for the better organizing of the Troops of the United States," read and passed to second reading January 1, is said to have been Hamilton's work.¹⁴¹

Of superior importance to his regulations for the army was Hamilton's promotion of a training school for officers which became the United States Military Academy at West Point. He did not originate the project, which had often been urged by Washington, but Hamilton gave it fresh impulse and definition which resulted, two years later, in actual commencement of the institution on a rudimentary scale.

Hamilton was always a patron of education. Largely self-taught in the West Indies, when given the opportunity he ardently pressed through a preparatory year in Elizabeth Town, then enjoyed less than three years in King's College before entering the army. Doubtless with assistance from Robert Harpur, the mathematics professor, he privately equipped himself for his commission of captain of artillery. After the war he read law in a brief period of intense application. He assisted, in the New York legislature, in establishing the Board of Regents which fostered all education in the state. When he came into national prominence he was awarded honorary degrees by leading institutions. In the Farewell Address he had defined Washington's desire for a national university. At the period of which we write he was a trustee of Columbia College.¹⁴²

It was natural that as inspector general he should plan for a military academy, toward which Congress had taken initiatory steps.¹⁴³ Such a project, worked out by Hamilton in considerable detail, went beyond the immediate needs of national defense, and illustrated his habitual care for the long development of the country. Approach of the session of Congress, he presumed, would prompt the Secretary of War to propose pertinent measures. "One which I have always thought of primary importance," Hamilton began, "is a Military Academy." The smaller the standing army, the greater the need for its efficiency. "Since it is agreed, that we are not to keep on foot numerous forces instructed and disciplined, military science in its various branches ought to be cultivated . . .

in proper Nurseries; . . . ready to be imparted and diffused. . . . This will be to substitute the elements of an army to the thing itself," so the forces could be expanded in emergencies. The most pacific policy would not save us from wars; therefore, with our aversion to a large regular establishment, we must have the means of expeditious preparation.

The academy, under a director general (taken, like the whole of the faculty, from the army) should have five schools, each under a qualified head. These were the Fundamental School, in which all students would spend two years, learning mathematics, mechanics, geography, and tactics, followed by a period in one of four specialized divisions—artillery and engineering (two years), cavalry, infantry, navy (one year each). The training of artillerists and engineers should be joint, and yet, as in several European countries, separate enough to allow specialization. This school had the amplest curriculum, and drew most heavily on the faculty of six professors of mathematics, three of natural philosophy, one of chemistry, two each of architecture, drawing, and riding and fencing masters. Hamilton spelled out the courses—fluxions, conic sections, hydraulics, hydrostatics, pneumatics, theory and practice of gunnery, with spherics, astronomy, and navigation for naval instruction.

The site should be on navigable water permitting an artillery range and ship construction. A cannon foundry¹⁴⁴ and small-arms manufactory, operated by army detachments, would furnish object lessons for the students. A feature of the academy should be attendance of commissioned and noncommissioned officers, in rotation, for short or refresher courses. Congress should provide for the academy in latitude, though the President could commence it on a restricted scale.¹⁴⁵ Hamilton sent a copy of his proposals for a military academy to General Washington. He already knew the Commander in Chief's approval of such a school, but now solicited suggestions for alterations in the plan.¹⁴⁶ Washington replied from Mount Vernon in the last letter he ever wrote, two days before his death, "The Establishment of an Institution of this kind, upon a respectable and extensive basis, has ever been considered by me as an object of primary importance to this Country." While unable to comment on details, he hoped Congress would "place it upon a permanent . . . footing."¹⁴⁷

Hamilton lost no opportunity in his military correspondence and assignments of officers to advance the scheme of a training school, especially for artillerists and engineers, whose functions required most technical knowledge. By March 1, 1800, the Secretary of War was asking him to draft a bill or bills for modification of two regiments of artillerists and for establishing the basic school and that for artillerists and engineers.¹⁴⁸ Three weeks later, the joint efforts of Hamilton and McHenry produced "A Bill for Establishing a Military Academy, and for better organizing the corps of Artillerists and Engineers," which was twice read in the House and scheduled for committee of the whole.¹⁴⁹

Early in May, 1800, McHenry advised President Adams that probably Congress at the next session would provide a military academy, which would entail changes among officers. If the President wished in anticipation to appoint a lieutenant colonel of the Second Regiment of Artillerists and Engineers, Lewis Tousard was eligible as the oldest major in that service.¹⁵⁰ Promptly Adams' son-in-law, Colonel W. S. Smith, who wished to remain in the army, proposed that he be given command of the regiment. He would bring a major and battalion from his Union Brigade, persuaded that his officers, though of the infantry, would soon acquire special competency for the artillery.¹⁵¹ Adams asked Hamilton's candid opinion, "without favor or affection," whether the application could be granted without injustice to other officers.¹⁵² Hamilton, with model consideration, explained that Colonel Smith, for whom he had military and personal regard, as an infantry officer had pretensions inferior to those of majors of artillery for this assignment. The President could not be unaware that he would invite criticism if Smith was appointed.¹⁵³ Hamilton had the reward for his frankness when Adams replied, "Your sentiments are very satisfactory to me, and will be duly attended to."¹⁵⁴ This was about the last agreeable exchange between the two. Adams was as good as his word, for already he had ordered Tousard to be commissioned lieutenant colonel of the Second Regiment and inspector of artillery. Tousard at once acknowledged this further proof of Hamilton's friendship for him.¹⁵⁵

When prospects for the academy darkened, Hamilton hoped, before he left command, to salvage something. Two battalions of artillerists, to be reserved for field service, might be combined at

Scotch Plains or Harpers Ferry to be instructed by at least two professors whom the President had the authority to appoint. This would be "some though a defective substitute for a military academy; an object of too fundamental importance not to be steadily pursued."¹⁵⁶ However, Ben Stoddert, as acting Secretary of War, preferred not to act on this suggestion.¹⁵⁷

Prelude to Dissension

As Adams' kaleidoscopic administration progressed and the democratic upsurge became more assertive, looking to the presidential election, Hamilton was in a mixed frame of mind on Federalist policies. The uncertain chances of peace or war with France and the parlous future of the army Hamilton was collecting profoundly unsettled his thoughts. These he recorded in "An Accurate view of the internal situation of the U States" which "presents many discouraging reflections to the enlightened friend of our Government and Country." He confided his perplexities and solutions to Jonathan Dayton, representative in Congress from New Jersey.¹ It is a political statement of special significance, because not intended for publication but as a guide to party action, and is thus more deliberate than observations dropped in private letters not expected to lead to legislation.

Alarmed at the pass to which the Federalist government had come, he proposed on the one hand measures to conciliate the mass of voters on the land, particularly in the interior. These were loyal, restive only because neglected, and, if now assisted, would restrain violent politicians who appealed for their support.² On the other hand, clamorous leaders of several sorts who disregarded Constitution and statutes must be put down and punished. The rigor of his expedients betrayed his acute anxiety, for "opposition to [454]

the government has acquired more system than formerly, is bolder in the avowal of its designs, less solicitous than it was to discriminate between the Constitution and the Administration, and more open and . . . enterprising in its projects." The recent efforts, December, 1798, of Virginia and Kentucky "to unite the state legislatures in a direct resistance to certain laws of the union can be considered in no other light than as an attempt to change the Government." The Virginians, reorganizing their militia and preparing arsenals, meant to make "existence of government a question of force."

To this menace he urged a four-pronged resistance. For the first he proposed "Laws for restraining and punishing seditious combinations and practices," but thought better of it, crossed out repression, and substituted "Establishments which will extend the influence and promote the popularity of the Government." This revision is symptomatic of his desire, shown elsewhere about this time, to invoke reform before retaliation. Serviceable means would be (1) extension of the judiciary system. There should be more local "conservators or Justices of the Peace" with merely ministerial functions. (It is not clear whether the purpose of these was to keep order or to furnish magistrates nearer at hand than the existing courts.) (2) "The improvement of the roads would be a measure universally popular." A loan for a million dollars for a "national system" of turnpikes could be readily repaid by tolls and postal revenue. The Constitution should be amended to empower Congress to open interstate canals. These would exploit our abundant resources for internal navigation, facilitate commerce and agriculture, bind distant parts of the Union, and extend influence of government. In this proposal Hamilton anticipated by a decade Gallatin's great report on internal improvements, and by twice as long the constitutional liberality of John Quincy Adams which finally overcame the crippling objections of Monroe.³ (3) An officially sponsored society offering premiums for inventions and improvements in agriculture and the mechanic arts would "speak powerfully to the feelings and interests of those classes of men to whom the benefits derived from the Government have been heretofore . . . least manifest." This closed his ameliorative proposals. The remainder were in varying degrees repressive. The least so was (4) provision for keeping the army on its then footing (sixteen infantry regiments and one of dragoons), unless universal peace

ensued, when every company, except of the artillery should be reduced to twenty soldiers. A military academy "will be an auxiliary of great importance"; government should establish manufactures of all military articles; the naval force should be increased "proportionately to our resources." Temporary laws for calling out the militia to suppress unlawful combinations and insurrections should be made permanent. (5) "The subdivision of the great states is indispensable to the security of the General Government and with it of the Union." This should be "a cardinal point in the Federal policy," for the large states in favorable situations would be able to machinate against "the common head . . . with decisive effect." Their reduction to a size most conducive to republican management of local affairs could be accomplished through an amendment permitting setting up of a new commonwealth on petition of 100,000 persons dwelling within an existing state. Hamilton recognized, however, that fractioning the big states was a remedy too audacious to be broached at that juncture of bitter animus. (6) "Laws for restraining and punishing incendiary and seditious practices." Reputations of federal officers, necessary to the discharge of their duties, should be taken under guardianship of the national judiciary, not be left to "the cold and reluctant protection of State courts always temporizing." Renegade aliens edited many of the most inflammatory papers. "Why are they not sent away? Are laws of this kind passed merely to excite odium and remain a dead letter?" Executive vigor was demanded. "If the President requires to be stimulated those who can approach him ought to do it." (Adams had been tenderer of aliens than of native malcontents.)⁴

However, for all his anxiety and concoction of bold expedients to keep the country from the dogs, reflection reconciled him to patience. With unusual forbearance he closed a message to Sedgwick in Congress, "I observe more and more that by the jealousy and envy of some, the miserliness of others, and the concurring influence of *all foreign powers*, America, if she attains to greatness, must creep to it. Well be it so. Slow and sure is no bad maxim. Snails are a wise generation."⁵ When Henry Lee chided him for gloomy expressions and admonished him not to "despond of y^r country," Hamilton replied that he was not downcast. "As to the country, it is too young and vigorous to be quacked out of its political

health—and as to myself, I feel that I stand on ground which, sooner or later, will insure me a triumph over all my enemies.”⁶

This program of carrot and stick was pressed on Dayton about the time Hamilton lost patience with his Democratic critics. He asked Josiah O. Hoffman, attorney general, to bring suit against *The Argus, or Greenleaf's New Daily Advertiser of New York*. This was for “a publication . . . which charges me with being at the ‘bottom’ of an ‘Effort recently made to suppress the Aurora’ . . . by pecuniary means.”⁷ Hamilton made his resentment public at once by sending his letter to the *Daily Advertiser*, New York (a different paper from the above), where it appeared November 9, 1799.⁸ The piece against which he complained did not content itself with declaring that Hamilton was at the bottom of a scheme to silence the *Aurora* by purchasing it, but went on to discreditable insinuations. How could he command \$15,000 or \$20,000 when he had recently proved that he was obliged to meet in installments Reynolds’ demand for \$1,000? Perhaps the sum was to be raised by “an association of orderly federalists” such as had designed to drive Callender out of Richmond. Or was British secret service money available through Liston, the minister of that court? Why did not Major General Hamilton employ a more economical method? He could have used the same troops that quieted the Fries disturbance in Pennsylvania to gibbet the editor and destroy the *Aurora* office in half an hour. “One principal Engine,” declared Hamilton, for pulling down the pillars of society was “by audacious falsehoods to destroy the confidence of the people in all those, who are in any degree conspicuous among the supporters of the government. . . .” These lies had become systematic and formidable. He had treated “malignant calumnies” with contempt, but now it was his “duty to the community” to try the force of the laws.⁹

Frothingham, variously described as foreman or merely journeyman printer at \$8 a week, at the trial accepted responsibility for copying into the *Argus* what he took from the *Aurora*, but which had appeared earlier (October 1st ff.) in papers of Norfolk, Boston, and Newark. He had no part in the ownership or editing of the *Argus*, but generously chose to protect Mrs. Greenleaf, widow of the late proprietor, from suit. Brockholst Livingston, defending Frothingham in his plea of not guilty, said Hamilton and his friends

had a right, for party purposes, to try to suppress the *Aurora*, and consequently it was no crime to republish the report that they had done so. Frothingham made oath that he bore no malice against Hamilton, had never seen him until he appeared in court.

Hamilton testified that he had never been concerned in an offer to purchase the *Aurora*, though he considered the paper hostile to the government. He repeated the history of the charge of speculation against him when Secretary of the Treasury, and of the mode in which he had disproved it (that is, the Reynolds pamphlet). Frothingham was found guilty, fined \$100, and sentenced to four months in jail.¹⁰

One of the slanders of Hamilton so crude as to discredit itself, was in spurious letters which nevertheless he tried to trace. One was supposedly from Wm. E. Van Allen, New York, to Dr. Stephen Graham, Philadelphia, saying he called on Hamilton to pay his respects, found him in a sweat from information Washington would resign next summer, and that Jefferson, "that cool casuistic Frenchified fellow will be thrust in his place." To block this Hamilton would offer himself for the office and obtain it because "the dollars I have heap'd together whilst handling the Government's Cash will not be without their use." Then more tales, one about Jay, as a special favorite, kissing the inside of the King's hand, and so on. Another fabricated letter was pretended to be from Hamilton to Robert Cooper, of Suffolk, Virginia, March 3, 1796, in which Hamilton was made, obliquely, to admit that the whole advantage of assumption went to a few stockjobbers.¹¹

Inquiry developed that both letters were lodged in the Philadelphia post office by Captain Caleb Haskins, who made his mark on a deposition that he fetched them from Suffolk at direction of one Dr. Bradford and a tall stranger.¹² Cooper, of Suffolk, whose name was illicitly used, informed Hamilton and the Philadelphia postmaster that Bradford was making a malicious party attempt; Cooper had started suit against him as an "assassin," and would cooperate with Hamilton's attorney in any prosecution he wished to make.¹³

The *Aurora* of Philadelphia, shrillest voice of the Democrats, rejoiced. Its roseate name was justified. After the long political night, in which the Federalists had chanted "Millions for defense"

and breathed defiance of France, the dawn was breaking. In consequence of assurances from Talleyrand, President Adams had nominated new commissioners to compose differences with the French Republic. "America is now arrived at that point," exclaimed the editor, "when her peace and liberties are to be secured, or her character lost, and posterity plunged into that horrible career which has subsisted under the monarchies of Europe for four centuries." Many Federalists, he went on, did not adhere to the war party, but wanted defense only. This was held to be Washington's stand. "Neither are we authorized to say that *general Hamilton* was *loud for war*—but we have the best reasons to believe he was."¹⁴

This accusation was baseless. Shortly before Hamilton wrote tolerantly to his old and intimate friend Lafayette: "I join with you in regretting the misunderstanding[s] between our two countries. You will have seen by the President's speech [at the opening of Congress] that a door is again opened for terminating them amicably. And you may be assured that they are sincere, and that it is in the power of France, by reparation to our merchants for past injury, and the stipulation of justice in the future, to put an end to the controversy."¹⁵

The strictures of the *Aurora* on leading Federalists as warmongers seemed justified in the alarmed cries reaching Hamilton from Philadelphia immediately Adams accepted the French overture. Hamilton's first news may have come from Sedgwick. The senator instantly exculpated his Federalist colleagues, for this mischievous move "was the result of Presidential wisdom, without . . . intimation to any one of the administration." Then he heatedly proclaimed, "Had the foulest heart & ablest head . . . been permitted to select the most embarrassing and ruinous measures, . . . it would have been precisely the one which has been adopted. . . . whether we approve or reject the nomination, evils only, certain, great . . . present themselves." As if in a state of shock, he had not decided what to do, clearly begged Hamilton's help.¹⁶

Hamilton at once agreed that the President's step astonished, "if any thing from that quarter could. . . . But as it has happened," he continued, "my present impression is, that the measure must go into effect with the additional idea of a Commission of Three. The mode must be accommodated with the President. *Murray*,"

he felt with Sedgwick, "is certainly not strong enough for so immensely important a mission."¹⁷

The principal Federalists at Philadelphia quickly reconciled themselves to a new negotiation, and before they could be prompted by Hamilton, put forward the expedient of a commission instead of Murray alone, who was regarded as "feeble, unguarded, credulous, and unimpressive."¹⁸ They continued to be as much affronted as surprised by the President's announcement, which was "*wholly his own act*,"¹⁹ one of "the wild and irregular starts of a vain, jealous, and half frantic mind."²⁰ Dismay threw "the eastern members, and their proselytes from the south," observed the gleeful *Aurora*, into "many secret meetings, called caucuses."²¹ Sedgwick reported one of these to Hamilton. The Senate committee considering trusting Murray with the assignment had an evening with the President, who declared he would "neither withdraw nor modify the nomination," unless it was rejected, when he would substitute a commission of three, with proper safeguards. The Federalists were prepared to negative Murray, but were induced to wait for a new message of the President. In this, with candor yielding to the opposition, he enlarged the embassy to include Ellsworth, the Chief Justice, and Patrick Henry, late Governor of Virginia. The last declined, and Governor Wm. R. Davie, of North Carolina, was named in his place.²²

The year following, in his pamphlet attack, as we shall see, Hamilton blamed Adams in this episode of a third mission to France.²³ But his censure was not of the action, only of Adams' mode of arriving at it. Talleyrand's bid for reopening of negotiations—through the French chargé at Amsterdam, and so through Murray, our minister in Holland—was informal and circuitous. Adams should have taken it as an approach, not as a binding offer. Next, Adams sprang his decision on the Senate without having consulted with his Cabinet advisers. Then his necessity of yielding to the demand for a commission in place of a single envoy acknowledged that he had been precipitate. Lastly, though a revolution in the French Directory opened the possibility of new deceit, Adams dispatched the embassy regardless.

Thus Hamilton's quarrel was not with the policy that ended disagreement with France, but with the method of executing it. He frankly applauded the result; it met his own wish, but, much more,

satisfied the majority demand of America. That being true, he might have spared, among his strictures, the broad suggestion that in ignoring his constituted advisers Adams had fallen "into the hands of miserable intriguers" who flattered and governed him.²⁴

This was to say that Adams' vanity and wavering temper had allowed him to be seduced by the pro-French party. Adams, answering these insinuations a decade later,²⁵ upheld the respectability of private correspondents and conferees who had helped convince him that the French "had changed their ground, and were sincerely disposed to . . . accommodation." But he nominated Murray only after receiving "authentic . . . diplomatic assurances."²⁶ He named, among his volunteer counselors, thus influential, Joel Barlow and George Logan, both of whom, his critics charged, were manifestly committed to the French interest, as was Gerry, the returned ambassador on whom Adams leaned. Gibbs, the apologist of anti-Adams Federalists, pronounced the successful mission to France a Democratic plot to ruin their political opponents. They played upon Adams' hatred of Hamilton and fear that, in event of war with France, he would mount from command of the army to the Presidency. Their skillful stroke with Adams was the prelude to their early victory at the polls.²⁷

Hamilton did not deserve to share in the slap of the *Aurora* at Federalists whose appetite for war was disappointed when President Adams produced agreement with France. "*Unauthorized agents at Paris*," the editor observed, "betray a temper of *corruption* . . . they are received by the American envoys without a credential, and their manoeuvres are . . . circulated . . . throughout the Union[.] But when a man upon whose public integrity . . . the breath of reproach has never blown, saves his country from a ruinous war, the dogs of faction are let loose, the old jockey gives the halloo, and the whole pack yelp in chorus."²⁸ Said Adams himself, reflecting on the fatal split in Federalist ranks: "the British faction was determined to have a war with France, and Alexander Hamilton at the head of the army, and then President of the United States. Peace with France was . . . treason against their . . . reasons of state. . . . No wonder they hate the author of their defeat."²⁹

We have rehearsed these rancors among the Federalists, to say nothing of the malice between Federalists and Democrats, because

they belong to the scene as it was played. Adams was the victim of distrust by those who should have been his friends, and the object of manipulation by his avowed enemies. Proud, isolated, hurt, soon to be excluded, he nevertheless stands, in the perspective of time, the hero of the piece. His annoying inconsistencies drop away because when resolution was needed he was right. He saved the country from war with France as Hamilton and others had saved it shortly before from war with Britain.³⁰

By an irony Hamilton abused Adams while on this main issue agreeing with him. The two crises in which war threatened—first with Britain, then with France—were essentially the same. In the earlier case prevention was easier. We were nearer the beginning of our national experiment, we were poorer, the peace party was stronger, the inciters to war were weaker. In the later case the Federalists, with superior prestige and practice (albeit internally disturbed) were belligerent, while the persuaders to peace were only making their bid for dominance. Now we were smarting under a repetition of spoliations, our overtures had been twice rejected; the last time with singular offense to our pride. We were actually fighting on the seas, and acquisition of enormous continental territory offered as a prize. The career of Napoleon had discredited the French brand of freedom. Now President Adams, to produce peace, must reverse his own conduct, repudiate party supporters, encounter the charge of courting his political opponents. But John Adams, reviled by his own, unrewarded by the others, brought it off.

When Adams had passed from the stage, and the Federalists, as an effective force, had made exit with him, his peace policy was to stand in contrast to the failure of the Democrats in our next international crisis. Jefferson by hook and crook staved off war, though his coadjutor and successor, Madison, felt impelled to it. But the war of 1812 was no part of Hamilton's story except as the Whigs who clamored for it claimed kin with a dead statesman.

The death of Washington, December 14, 1799, after the briefest illness, was a political loss to Hamilton greater than to any other man. He expressed his personal pang too, but many outside Washington's family felt individual sorrow as deeply; such were Tobias Lear, his secretary; Schuyler, Meade his old aide, McHenry, Knox, Henry Lee and Pinckney for a sample few. "Perhaps no

friend of his has more cause to lament on personal account than myself," Hamilton told Pinckney. "From a calamity which is common to a mourning nation," he wrote to Martha Washington, "who can expect to be exempt? Perhaps it is even a privilege to have a claim to a larger portion of it than others."³¹

But Hamilton's individual pain was not so unselfish as might have been. His words of condolence too bluntly betrayed the hurt to his interest apart from his heart. Thus with singular infelicity to the widow, "I may, without impropriety, allude to the numerous and distinguished marks of confidence and friendship of which you have yourself been a witness, but I cannot say in how many ways the continuance of that confidence and friendship was necessary to me in future relations." And to Lear similarly, "Perhaps no man . . . has equal cause with myself to deplore the loss. I have been much indebted to the kindness of the General, and he was an Aegis very essential to me."³²

Hamilton's declarations, too naïve, that the passing of Washington struck at his prospects and plans, were nonetheless true. Since his early manhood Washington, albeit never allowing favor to overbalance duty and judgment, had been his patron in spheres military and civil. It is doubtful whether without Washington's constant support Hamilton's talents could have developed so fortunately and influenced the country so profoundly as they did. The figure of oak and vine is not right, for it does Hamilton too little honor. Rather Hamilton was a flourishing graft on the mighty stock, and bore some of the finest fruit of the parent tree. As the years passed the root seemed to belong to the branch as much as the other way around.

Since the young nation required stability, the stability that results from forward motion, Washington with loyal helpers like Hamilton was its godsend. His retirement from the Presidency only lessened him as a presence in public councils. Shortly after Washington's death Hamilton wrote to Rufus King, American minister in England: "Our measures . . . are too much the effect of momentary impulse. Vanity and jealousy exclude all counsel. Passion wrests the helm from reason. The irreparable loss of an inestimable man removes a control which was felt, and was very salutary. The leading friends of the government are in a sad dilemma. Shall they risk a serious schism by an attempt to

change? Or shall they annihilate themselves and hazard their cause by continuing to uphold those who suspect or hate them . . . ? The spirit of faction" might carry Virginia leaders "to resort to the employment of physical force."³³

In our early history the Declaration of Independence, the surrender of Cornwallis, and the adoption of the Constitution were epochs superior to others, but the death of Washington belongs in that bracket because it closed the Federalist era. Dissensions in the country and in that party, hitherto latent, now became kinetic. Hamilton, more than any other Washington's heir, could not rule the storm that arose. Indeed, by ill judgment he helped get up the wind. Of course, it was only matter of a short time before popular forces would assert themselves, and most of the figures who had framed and executed national policy till then would be supplanted. With Washington gone, Hamilton was sooner cast (or cast himself) into the opposition. He was the leader of a viable Federalist party for five years, and continued for the remainder of the decade to be the rallying point of what remained of its old integrity. But his authority had been exercised tacitly through President Washington and then surreptitiously, if that is the proper word, through Adams' Cabinet. He never became, independently and acknowledged, the arbiter of the country's destiny. With or without Washington, that probably could not have been, and Hamilton himself knew the Federalist omissions that had made it so. His own death, so soon after the elevation of Jefferson, finished Federalist chances of revival. Supposing he had lived, and the administrations of Jefferson and Madison had run their course, it may be that Hamilton would have been recalled to command in the War of 1812-1814. After that he might have renewed nationalist demands (protection to manufactures, internal improvements, second Bank of the United States) which found successful advocates in spite of the inhibitions of Monroe. Hamilton in 1816 would have been only sixty-one, and if physically able might have been politically fit to resume and reinforce a program of American development in firmer fashion than was exemplified in the administration of John Quincy Adams. At the time of Jefferson's election, as we shall see, he had realized that wishes of the broad electorate must be consulted. Had he improved on this merit, in his interval of political retirement, he might have returned,

and in first position. The era inaugurated by Jackson might have been less crude, and every ounce of Hamilton's strength would have been thrown against developing Southern separatism.

All of this is mere conjecture, subject to too many chances to be worth the making perhaps. On the other hand, this projection of his career seems not unreasonable, and is offered in response to the frequent question, What if Hamilton had lived? Another answer is to say that Burr's bullet ended a life that anyhow was doomed to disappointment, that Hamilton's early death enhanced his reputation. In this view he would have survived to be at best another Webster, faltering in national preachment at the last.

After Washington's death several military characters addressed Hamilton as commander in chief,³⁴ and in fact he acted as such. He was not so designated, probably because President Adams retained chagrin at having been compelled to name Hamilton first of the major generals and also because dismissal of the auxiliary army impended. Henry Lee discountenanced paragraphs in opposition papers placing him as Hamilton's rival to succeed Washington.³⁵ Hamilton reassured his old friend, said he would have rejected such insinuations out of hand had they come to his notice.³⁶ Hamilton could not have consented to remain at the head of an army shrunk to four regiments on the frontier plus a couple of squadrons of cavalry and as many companies of artillery, unless in a purely honorary capacity. He advised his aide, Captain George Izard, to quit the army and accept a diplomatic appointment. "It is very certain that the military Career in this country offers too few inducements; and it is equally certain that my present Station in the army cannot . . . long continue under the plan which seems to govern."³⁷

The auxiliary army, so tardily—and at that, incompletely—collected, was dissolved in a few months. By mid-February, 1800, Congress had forbidden further enlistments, and a month later Hamilton had the printed act authorizing the President before June 15 to discharge all of the added army except dragoons, artillery and engineers, and staff officers. This was swiftly followed by McHenry's order for disbandment to be completed one day before the deadline.³⁸ The troops thus to be dismissed had not reached half the full complement of 8,448.³⁹ The Fifth Regiment had few men if any, the Sixth only 150, the Seventh 200.⁴⁰ The adjutant

general's reports of inspections showed the Eleventh half filled, but 91 men had deserted and equipment was in bad condition or lacking, and the Twelfth similarly. In the Thirteenth "one only [is] returned as *Dead*, though it is apprehended there are more"; companies were unequal, some had more than 50, others less than 30, and one company had only a lieutenant and a drummer.⁴¹ A little earlier North recommended that new officers be put in command of the fort in New York harbor, as discipline of the garrison was neglected and "nothing is in a situation to meet the attack of a privateer of 10 Guns."⁴²

Perhaps had enlistments continued, the ranks would have been filled and supplies would have been improved, but at the moment when recruitment was reversed the state of the force was not creditable to the inspector general. Hamilton was absent in Albany, apparently on his own affairs, for almost a month in January–February, leaving Adjutant General North in charge.⁴³ He returned to his military duties with spirit, visiting the encampment at Scotch Plains, New Jersey,⁴⁴ directing that old regiments be recruited from the new ones to be dissolved,⁴⁵ and making sure that all soldiers when discharged were paid in full including three months' dismissal wages.⁴⁶ The War Office itself was vacated by McHenry, who had not been effective in it, and had incurred the President's hostility; after June 1 Ben Stoddert, Secretary of the Navy, took over his duties.⁴⁷ Hamilton in disbanding the troops thanked them for the President and himself, and hoped their patriotism would lead them to a just construction of the motives of the government.⁴⁸

On July 1, 1800, Hamilton quit his headquarters in New York,⁴⁹ and next day notified the Secretary of War that he considered his military service ended and submitted his accounts.⁵⁰

Thus closed two years of efforts largely abortive, the least rewarding span in Hamilton's career. Doubtless he led himself into it by exaggerating the danger of a French invasion, though it must be remembered that others, including Washington, shared his fears; it may be that mustering in America facilitated peace negotiations in Paris. If the risk was genuine, somebody had to do the actual work of mobilization, but Hamilton, prompted by his political as much as by his military alarm, was too eager. Probably Knox would have served well at headquarters, leaving Hamilton to pursue his law practice with opportunity, as always, to influence na-

tional policy as changing appearances suggested. Most that he was called on to do in his army station was petty, unworthy of his powers, frittered his energies. Thus fretted, when President Adams patched up a peace with France, Hamilton was ready to assail him as unfit for a second term. Hamilton would have profited by a vacation. Instead, he posted off to New England to inquire anxiously into Federalist sentiment in that stronghold, and plunged into vehement political correspondence. The election was four months off; a few weeks of leisure and change of scene might have saved Hamilton (and his party) from the destructive rôle into which he rushed.

Hamilton's long-time friend William North, then his close co-worker as adjutant general, must have sensed his captious mood as he took off his uniform and reentered the political arena. North wrote Hamilton, not as an officer to his commander, but as a citizen. "To you . . . all eyes look, and on you, everything will depend in a great measure. . . . Your head is always right, I would, your heart was a little less susceptible. I pray you: when it is about to carry you out of the direct path, you will, like the deacons & select men, throw a cloak over your shoulders." North hoped Hamilton would, under heaven, one day "save the country from ruin."⁵¹ This was pertinent advice from a trustworthy source which Hamilton, unhappily, did not heed.

Defeat of the Federalists in New York City and nearby parts, their old stronghold, in elections to the state legislature in 1800, was the signal of the party's weakness and division throughout the country. Hamilton, to the extent that he was leader of the Federalists, had lost on his home ground. This misfortune drove him to ill-advised expedients.⁵²

His first action, however, on the face of it was well enough. He got off a prompt note to Sedgwick in Congress admonishing that "To support *Adams* and [Charles Cotesworth] *Pinckney* equally is the only thing that can possibly save us from the fangs of *Jefferson*. It is . . . essential that the federalists should not separate [at Philadelphia] without coming to a distinct and solemn concert to pursue this course *bona fide*. Pray attend to this, and let me speedily hear from you that it is done."⁵³

Before he could hear from Sedgwick that the Federalists in Congress had caucused, Hamilton made a desperate and degrading

proposal to Governor Jay intended yet to retrieve the situation in New York. With an anti-Federal majority in the legislature then being chosen, the New York electors would be of the same persuasion and would make Jefferson President. To prevent this and ensure the success of a Federalist candidate, the existing legislature should be immediately called into special session. The purpose was to change the law so that electors would be chosen, not by the new legislature, but by the people voting in districts. Hamilton gave to this procedure names altogether too soft—it would, admittedly, be “out of the common course,” would not confine itself “within . . . the ordinary forms of delicacy and decorum.” The measure was justified because it would preserve the helm of state from the hands of “an atheist in religion, . . . a fanatic in politics,” whose followers designed overthrow of the government. Scruples of propriety should “yield to the extraordinary nature of the crisis” of public safety and social order. These ends justified the means.⁵⁴

Hamilton was here scheming to set aside the manifest will of the people. No matter how technically “legal and constitutional” he called his trick, it was he on this occasion who would subvert the established system, and violate principles adopted for the enduring protection of liberty. Though he charged that opponents were abandoned, and therefore the Federalists in the emergency must fight fire with fire, had the Democrats under like circumstances resorted to the measure he urged, he would have cried to high heaven against them. The issue had been tried under existing rules; the Federalists in New York, by his own declaration, had been repudiated. If they were to cling to power which had been fairly wrested from them, there was an end to government under law. This proposition marked the low point in Hamilton’s public morals.

Fortunately he mistook his man in Governor Jay, who was as firm as Hamilton in this lamentable instance was infatuated. Jay endorsed the letter, “Proposing a measure for party purposes which it would not become me to adopt.” Hamilton himself must have been ashamed next day, when he reported to Sedgwick, “The accounts from the northward, apparently authentic, give us the strong hope of still having a majority in our legislature.”⁵⁵

Hamilton’s news from the national capital of the sentiments of New England Federalists was not reassuring, and forecast what he

was to discover at first hand in a political journey to the eastward. Sedgwick was feeling out party colleagues on the equal commitment of Federalist electors to Adams and Pinckney, and related to Hamilton the reaction of Samuel Dexter which proved to be characteristic. Those who best knew Adams might deem him unfit, but the majority of Federalists cheerfully believed him best qualified for the Presidency. Should a compact to support Pinckney equally with Adams result in the election of the Southerner, Adams' admirers would be disgusted, claim that they had been taken in by insidious schemers against their man, and "this will crumble the federal party to atoms." The crisis was not what Hamilton painted. Throughout the Union would be enough Federalist electors to permit those of New England to throw away some votes—that is, invite no rival to their favorite, Adams—without risk of Jefferson being President. Would Hamilton try to change Dexter's view?⁵⁶

Yes, Hamilton would take opportunity to dissuade Dexter from his mistaken estimate of Federalist preference for Adams; at least, "*most of the most influential men . . . consider him as a very . . . incapable character.*" By this time President Adams had declared war on Hamilton's following within the party by dismissing Pickering, the Secretary of State, and McHenry, Secretary of War.⁵⁷ Hamilton forthwith gave substance to the suspicion of Dexter. "For my individual part, my mind is made up. I will never more be responsible for [Adams] by my direct support, even though the consequence should be the election of *Jefferson*. If we must have an *enemy* at the head of the government, let it be one whom we can oppose, . . . who will not involve our party in the disgrace of his foolish and bad measures. Under *Adams*, as under *Jefferson*, the government will sink. The party in the hands of whose chief it shall sink, will sink with it; and the advantage will all be on the side of his adversaries. . . . The only way to prevent a fatal schism in the Federal party, is to support General Pinckney in good earnest." If New England would support Pinckney equally with Adams, Hamilton, in conformity, would espouse Adams with Pinckney, but it was plain that he hoped Pinckney, under this agreement, would come out on top. If no agreement, he would withdraw from the party and work for Pinckney "as my single object."⁵⁸

Actually, he did not relinquish the Federalists or despair of their united exertion. He had been fostering the party for a dozen years, during which his ascendancy had been increasingly proclaimed by political enemies and friends alike. He deplored division now more than ever since opponents presented an imminent threat. Therefore he visited the three New England states—Massachusetts, New Hampshire, and Rhode Island—where prime attachment to Adams bid fair to sacrifice the coming election.⁵⁹ In spite of his best persuasions he returned with the same disturbed report to Federalist coadjutors elsewhere. Thus to Marylander Charles Carroll of Carrollton: “though the greatest number of strong minded men in New England are not only satisfied of the expediency of supporting *Pinckney*, as giving the best chance against Jefferson, but even prefer him to *Adams*; yet, in the body of that people there is a strong personal attachment to this gentleman, and most of the leaders of the second class are so anxious for his re-election that it will be difficult to convince them [of] danger of its failure . . . or to induce them faithfully to co-operate in Mr. Pinckney, notwithstanding their common . . . dread of Jefferson.”⁶⁰

Hamilton reported to James A. Bayard, influential Federalist in the House, discouraging results of his canvass in the Northern states, ending: There seems to be too much probability that Jefferson or Burr will be President. The latter is intriguing with all his might,” hoping “he will overtop his friend Jefferson.” If successful, “Burr will certainly attempt to reform the government *à la Buonaparte*. He is as unprincipled and dangerous a man as any country can boast—as true a Catiline as ever met in midnight conclave.” Hamilton solicited Bayard’s estimate of prospects to the southward.⁶¹

Bayard’s reply encouraged Hamilton’s distaste for Adams, though, like Bayard, he knew Federalists must vote for him. The country’s escape under Adams’ administration, thought Bayard, had been “miraculous. He is liable to gusts of passion little short of frenzy, which drive him beyond the control of any rational reflection. I speak of what I have seen. At such moments the interest of those who support him, or the interests of the nation would be outweighed by a single impulse of rage. . . . he has palsied the sinews of the party & . . . before another Presidential

cycle has completed itself, he would give it its death wound. . . . You have the reputation of being our *Father confessor* in politicks, and I have . . . made to you a frank confession. My sins I hope will be remitted."⁶²

His personal attempts with lesser Federalists of the Eastern states had left him apprehensive. He had promised to reinforce his pleas to them with a written statement "of the facts which denote unfitness in Mr. Adams." He applied to Wolcott and Pickering to supply him with documentation. This meant fortifying their ill reports of Adams' behavior, which Hamilton had been receiving all along, with particulars known to them as the President's official associates. In a word, it involved their betrayal of Cabinet confidences. Wolcott, on whom Hamilton chiefly relied, remained as Secretary of the Treasury. Pickering had been discarded, but his resentment did not license him to bear tales. Hamilton had qualms on their account. If he pilloried Adams in what he soon designed not as a private memorandum but as a public letter, signed with his name, his informants would be equally identified. A strong objection to his planned attack, he wrote Wolcott, was "that some of the principal causes of my disapprobation proceed from yourself, and other members of the administration, who would be understood to be the sources of my information, whatever cover I might give the thing. What say you to this measure?"

But Hamilton's determination to discredit Adams was fast taking possession of him, regardless of party prudence or delicacy for intimates who might abet his purpose. Adams had been stigmatizing him and his own hostile ministers, Wolcott with the rest, as leaders of a British faction. This gave Hamilton, and his friends, an excuse to strike back in self-defense. He had already addressed to Adams a remonstrating letter. But protest on this account was only a device, an occasion seized to depose John Adams from the Presidency.⁶³

George Cabot and Fisher Ames, among the chief "high Federalists" of Massachusetts, fully shared Hamilton's distrust of Adams. But they were chary of Hamilton's hankering to attack him on the eve of a national election in which, as never before, Federalist harmony was imperative. The single chance of success in fending off the Democrats, and that uncertain, was for Federalists everywhere to hold to the engagement made at Philadelphia to support

Adams and Pinckney equally. Plainly this was their judgment, put to Hamilton in long letters which he should have heeded.⁶⁴ Doubtless he accepted their polite concessions to his mischievous project, without regarding their undercurrent of disapproval. No matter what the tactic employed, to assail the titular head of the party when he was running to remain in the Presidency was fraught with fatal dangers. At least, they warned, one thing he must do and another he must not do. After demonstrating Adams' demerits, Hamilton must end by urging Federalists to vote for his reelection. This was out of deference to his devoted following, and to keep faith in the pledge to cast Federalist votes for both Adams and Pinckney. This would be a contradictory business, first to maul a man and then to set him on the hustings as a favorite candidate. But for party purposes, or the public good as they chose to think, it was mandatory. This injunction of Cabot and Ames explains why Hamilton, in the famous tract he was soon to publish, tore Adams down and then reerected him. When the piece appeared, and was gleefully seized as a weapon by opponents, it was inevitably proclaimed that President Adams was wounded in the house of his friends. Subtle justifications made no impression. Hamilton had played into the hands of Jefferson and Burr, who had expected no such godsend to their ambitions. Hamilton was too little of the politician. He could keep party ranks intact so long as he was devising and executing great national reforms, which intrinsically claimed loyalty. But when maneuver became the game, when placating compromise and preservation of appearances were recommended, he was the bull in a china shop. To make his passion worse, he was ruled by reckless personal resentments against Adams and those whom Adams swayed. Anger got the better of his discretion.

Both Cabot and Ames, who kept cool, begged that if Hamilton was determined to lacerate Adams, he must not carve his name on his bloody handiwork. It would be hard enough at best to conceal his identity; certainly he must not sign his invective. This would be to deliver the Federalists to their enemies. Early, while yet weighing pros and cons of publishing over his signature, Hamilton told Wolcott, "This seems to me the most authentic way of conveying the information, and best suited to the plain dealing of my character."⁶⁵ This was being frank to the point of simplicity.

But in fact it mattered not. His crime was strewn with clues anyhow. Nothing short of a "get thee behind me Satan" would have saved from disaster.

While Hamilton received wise warnings from Boston, Wolcott in Washington was in full cry with him.⁶⁶ He eagerly furnished privileged information and amended Hamilton's draft to make it more deadly in design by correcting mistakes of detail. But even Wolcott at one point had misgivings about Hamilton signing the attack or publishing it broadcast.⁶⁷

Attack on
John Adams

HAMILTON'S calamitous attack on President John Adams is impossible to excuse, difficult to explain. Politically it was calculated to unseat the Federalist party and usher in what Hamilton professed to dread, a Democratic president. This was to sacrifice fruits of a dozen years' cultivation. In the assault Hamilton was at war with himself, for after demonstrating through fifty pages how Adams was unfit for the office, he declared that he would not divest him of a single vote. The performance was petulant and negative. Hamilton on other occasions published on hasty impulse, but his productions were pointed, unmistakable in purpose. The sortie against Adams was ill conceived, ill executed. Even Hamilton's claim that it was intended to circulate only among a chosen group of Federalists is questionable, for other editions were promptly issued by the publisher holding the copyright.¹ Who could believe that such campaign ammunition would not come into the possession of the opposing party? If the printed document itself did not fall into wrong hands, the indignant or hurt cries of Adams' supporters must advertise it.

The essay, except by implication, did not recite the real reasons for Hamilton's hostility to Adams. Probably, with all his awareness, Hamilton could not define his motives as they appear to us long afterward, or if he knew, he could not declare them without being altogether personal.² Hamilton had been in the habit of collaboration with Washington, and when the first President re-

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tired his ex-secretary emerged into leadership. This was *de facto* command, operating directly on the Federalist party, indirectly on the administration through his friendship and authority with Adams' Cabinet ministers. While Washington presided, the expectation of no political parties had become a doubtful hope and then a vain pretense. Washington was Federalist in principle, but without party allegiance. But John Adams, no less the patriot, somehow became a party symbol. Time was the cause. The Federalists in eight years had solved the most pressing problems, internal and external. The country was prosperous and at peace. A further period was needed to fix American institutions and call out the bursting resources of a rich continent and an energetic people. Though Adams was the titular, Hamilton was the true head of the party which guided the government.

He had earned this confidence of his countrymen. In the Revolution and afterward he had worked in junior capacity with so many, Adams included, to set up the American loom; then he, more than others, had put in the warp for the web. A signal acknowledgment of this came after Adams assumed office, when Washington insisted, against Adams' wish, that Hamilton be next to him in command of the provisional army. This appointment was not more military than it was civil. In the event of war and removal of Washington from any cause, Hamilton would be defender of the country—not only its physical shores, but its political integrity.

Adams, by contrast, after he helped to negotiate the treaty of peace until he became President, had not built himself into developing events. As Vice President he was in a stand-by position, a trying one in which foibles are more apparent because major action is precluded. He inherited the highest office, an elderly Prince of Wales; inherited even his ministers, most of whom had served Washington on the recommendation of Hamilton. When they found themselves under a new President, they continued to take the nod from their familiar leader, Hamilton. Their intimacy with him ere long became alienation from President Adams; their trust in Hamilton was, in the converse, distaste for Adams. This unhappy relationship, in which Hamilton was not the power behind the throne, but tangential to it, was worse because, whenever Congress adjourned, President Adams fled the seat of government.

British statesmen have a talent for the long weekend, but their country places are near at hand, their guests are political, and all are soon back in Whitehall. But Adams put three hundred horse-drawn miles between himself and his capital, and remained rusticated for months together. Meanwhile day-to-day business, inevitably involving more than routine decisions, fell to department chiefs who looked to Hamilton oftener than to the President who was in several ways more distant.

The charge that Hamilton was officious in attempting to govern behind President Adams' back must be modified when we remember that Adams was not forward and his ministers to whom Hamilton made repeated suggestions were lacking in leadership. For example, Hamilton must give McHenry instructions for captains of our ships of war. At least McHenry knew such questions would come up, and Adams said nothing to him.³

President Adams chose, while he resented, his detachment. He was both self-sufficient and lonely, egotistical and irked by his egotism. These circumstances made him seem sudden, unaccountable. Lacking association, he yet had—and was prepared to use—authority. His fiats puzzled his ministers and angered Hamilton.

Whether the frosts of New England get into her offspring, and heats linger in children of the tropics, may be questioned. This pathetic fallacy fits the Adams-Hamilton contretemps. The outgoing Hamilton found his way through the reserve of Washington. But Adams was standoffish, did not seek counsel. Thus it took him long to discover with whom his ministers were consorting. By the time he knew this, he found their views at odds with his, particularly about the course to be pursued with France.

While Hamilton had been presumptuous, even officious, in conducting Adams' administration for him, Hamilton also was at a disadvantage that brought him to the parting of the ways. He had power without responsibility, which is apt to mislead and end in infatuation. Adams was alert to his responsibility, and could invoke corresponding power. It is the combination which makes for wisdom.

Was Hamilton dashed when Adams, in a turnabout, composed differences with France, cooled the Francophobes, disbanded the new army before it was formed? In letters he said not; he did not forget his preachment for peace through the Jay treaty; he dismissed the Miranda filibuster as an exploded fancy. What

Adams did was right for the country, and Hamilton knew it. When he saw it accomplished, he was surprised, maybe jealous too. He was piqued, but he was not in disagreement. His annoyance must take the form of complaint, not against what Adams had done, but how he had done it. This kind of fault-finding lacked substance and moral force. Granted that Adams had acted for the good of the country, Hamilton really had no case.

Did Hamilton, unable to manage Adams after two of the secretaries were discharged, look forward to installing Pinckney in the Presidency because he would be more amenable? This was proclaimed by some of Hamilton's critics. Perhaps. He admired and liked Pinckney, had found him a cooperative party leader, and preferred him to Adams because companionable. He said he would not be responsible for Adams, and maybe that gives the clue to his desire for Pinckney. We must remember also that, having torn Adams down, he nominally built him up again in the eyes of his supporters rather than shatter party unity.

John Quincy Adams, looking backward a quarter-century, was sure that Hamilton's rejection of his father for another term as President flowed from disappointment of his military hopes. Hamilton during John Adams' administration "had constantly exercised an influence of personal intrigue and management over a large portion of the party; controlled most of the appointments. . . ." By a sort of witchcraft he "had acquired an overruling ascendancy over Mr. Pickering, then Secretary of State," and over influential Federalists of New York and New England. ". . . Hamilton's system of policy looked to a war with France, and a large army, of which he was to be the head." He planned to put forward General Washington again as a candidate to prevent the reelection of John Adams. When Washington died, Hamilton hit on C. C. Pinckney, in favor for his modesty in serving under Hamilton and whose famous belligerent toast found echo in Hamilton's heart. The "conflict between a French war and a pacific mission was the immediate cause of that schism in the Federal party which accomplished their political ruin and the fall of my father's administration." The mission prepared the way for the Louisiana Purchase, baffled war with France, "and this abortion of the army of fifty thousand men, was the cause of the inextinguishable hatred of Hamilton and Pickering to my father. . . ."⁴

This account of a loyal son will not bear scrutiny. The letter J. Q. Adams cited as proof that Hamilton wished to bring Washington out again to supplant John Adams⁵ show no connection of Hamilton with a proposal so foolish. Hamilton knew better than anybody else that Washington had retired permanently, except for his contingent military office. Further, Hamilton agreed that peace with France was wise; incidentally, the army was never fifty thousand, only sixteen regiments, partially filled, making together fewer than five thousand.

Adams' resentment at his desertion by leading Federalists was described, item by item, by Sedgwick to the absent Rufus King. It commenced when many, especially Hamilton, also Sedgwick, preferred Thomas Pinckney on Washington's retirement. A succession of slights, real and fancied, irritated Adams further. He was at no pains to conceal his "furious indignation" when "the whole federal party" recommended C. C. Pinckney "as a joint and *equal* candidate with him" in 1800. "He every where denounces the men in whom he confided, at the beginning of his administration as an oligarchist faction, and what is still more odious as a British faction, who are combined to drive him from office, because they cannot govern him, and to appoint Pinckney [*sic*], by whose agency, under the controul of this faction & particularly of Hamilton its head, the country is to be driven into a war with France & a more intimate, if not an indissoluble union with Great Britain." As a result of Adams' misconduct, the Federalist party, which had "appeared to be impregnable intrenched," was disorganized in Massachusetts "and every where through the nation its energies paralyzed."⁶

We must conclude that no one trait or decision of Adams, no one political event, no single mistake of Hamilton produced the luckless attack. The fault was largely Hamilton's. He had for the nonce lost his grip, his sense of reality. This might not have happened had he continued in active law practice, devoting attention to governmental and party problems on the side. That was fatiguing, but his public work was the extra, the avocation. When he directed his energies almost entirely to organizing the projected army he was back in official life, though with a limited assignment which even so the President had not meant him to have. He felt at once loosed and constrained. He was back to duty, but the

duty was not satisfying. He could get no response from the President. McHenry, the Secretary of War through whom he must work, was fumbling. Hamilton fretted, got into mischief.

Afterward, when both Adams and Pinckney stood defeated, and the succession of Jefferson impended, the shock restored Hamilton to his senses. What had loomed as disastrous seemed less bad than a composition of the Federalists with the distrusted Burr. Though hampered by division among Federalists, Hamilton would play the leader's part. He quit thinking of himself, fastened on what he believed was the interest of the country. He had caviled at Adams, whose principles were his own. Now he was earnest in support of Jefferson whose views he opposed. The reason was that Hamilton was himself again.

A summary will best reveal the temper of Hamilton's thrusts at Adams. The President was unfit for "the *administration* of government." This became the theme of complaint. Adams was noted for his extensive and learned writings on the principles of government. Here and elsewhere he displayed convictions similar to Hamilton's—necessity of central authority (perhaps monarchical), independence of the executive, representative rather than collective or crude democracy, in our country predominance of the nation over the states.⁷ In fact, approximation of the two in ideas lent virulence to Hamilton's differences. Hamilton said repeatedly that between excellent theory and wise practice of government the latter was to be preferred. This required ingenuity with sense of the feasible, consistency which admitted of compromise.⁸ Adams, on the contrary, had "an imagination sublimated and eccentric; propitious neither to the regular display of sound judgment, nor to . . . perseverance in a systematic plan of conduct. . . ."⁹

Hamilton gave instances of Adams' "extreme egotism," "vanity without bounds" which argued genuine distortion of judgment. He accurately reported that Adams had resented deliberate diversion of some votes from him to ensure that Washington would be President. Hamilton's allusion was concise. He could scarcely have exaggerated Adams' conceit, which was unabashed, a humble acceptance of a magisterial superiority conferred by heaven. His mistaken appreciation of himself and of his record as compared with Washington was proof of a kind of mental and emotional distrac-

tion. Examples of his self-absorption (to give it the mildest name) abound in his papers.¹⁰

While Hamilton had originally admired Adams for his patriotism, and was grateful for his support of Treasury policies,¹¹ he could not endorse him as Washington's successor because of his unaccountable flights and enthusiastic jealousies. Hamilton approved the plan of Federalist leaders for equal support of Adams and Thomas Pinckney in order to exclude Jefferson in 1796, and Hamilton would have been pleased had the choice actually fallen on Pinckney. His misgivings about Adams in 1797 must exculpate him from the suspicion that his hostility sprang from Adams' refusal to name him commander in chief on General Washington's death.¹²

Hamilton's circle of Federalists, through John Marshall, sounded Patrick Henry on becoming a candidate of the party in the approaching national election.¹³ When Henry seemed unwilling King suggested Thomas Pinckney, who would be returning from Europe with special popularity because of the Spanish treaty. He would receive the largest Southern and Western support.¹⁴ Hamilton assented cordially, was not sorry "to be rid of Patrick Henry that we may be at full liberty to take up Pinckney."¹⁵

Elkanah Watson, of Albany, told Adams he was the more gratified at his inauguration because "some leading Characters in this State are . . . chagrined at your election. . . . The secret cause which rankles in their hearts is the known Independence of your mind and an apprehension they cannot mould you to their party purposes."¹⁶ When Adams doubted he had enemies in New York and enclosed a poem, supposed to be by an Albany man, which flattered and charmed him, Watson documented his charge Chancellor Livingston had declared that "Hamilton[,] Schuyler & Co. were disappointed at his election. Judge Hobart (Federalist) when pressed, revealed Hamilton preferred Pinckney because he was a new man and wou'd not draw in his train the spirit of party." Later, Watson commented, "A curious assertion . . . for the most decided leader of a party in America." And further, following his prediction, Adams broke with "all the federal party" by making peace with France. "In consequence Hamilton assailed [him] in a virulent pamphlet . . . in some passages in a Billingsgate Stile on the ground of his obst[in]ancy and [rejecting] federal views."¹⁷

Adams was outraged because the Federalists did not give him

their whole solicitude when Washington retired. Hamilton thought it the origin of the "serious schism" that had plagued the party. Adams never forgave those whom he blamed. He was furious with Hamilton. He covered Pinckney with unworthy and unlikely suspicions which Hamilton had no difficulty in setting aside.¹⁸

Hamilton then related President Adams' aboutface on France. When Charles Cotesworth Pinckney was sent as our minister to replace Monroe and was rejected by France, Adams was reluctantly but wisely persuaded to try again with a commission of three. (Though Hamilton did not say so, this had been his proposal.) When these ministers were met with a demand for bribes,¹⁹ their indignation was echoed throughout this country, and loudly by President Adams. This country placed itself in a posture of defense. The belligerent Adams spurned a suggestion that he leave the door open for an envoy if France now chose to send one to us. No, if such a one came the President would order him home instant.²⁰ However, in his speech at the opening of Congress the President not only forswore this intransigence, but, against all advice, flew to the other extreme: if France promised to receive a minister from this country, he would send one. This, according to Hamilton, exchanged dignity for unbecoming supplication, and transferred the scene of negotiation to a distance disadvantageous to us.

President Adams clutched at the first suggestion of assent from France. He nominated Vans Murray, our minister to Holland, for the errand, and so swiftly that the Secretary of State was left in ignorance of the intention.²¹ Hamilton expanded on Adams' error of failing to consult his ministers, showing that all counsels would be improved thereby.²² Unhappily, he was himself, in assailing Adams, neglecting his own advice, and was running headlong into misadventure.

Hamilton's obtrusion into executive policy through his influence with President Adams' Cabinet is illustrated in a private letter to McHenry, Secretary of War, which preceded Hamilton's visit to Trenton that roused Adams' ire. It was a reproach that the administration had no general plan for defense; one should be formed without delay. "If the Chief is too desultory, his Ministers ought to be the more united and steady, and well settled in some . . . system of measures" proportioned to our finances. "It will be

ridiculous to raise troops and immediately after to disband them." We required six ships of the line, twenty frigates, and completion of the land force provided by law. "Besides eventual security against invasion, we ought certainly to look to the possession of the Floridas & Louisiana—and we ought to squint at South America. . . . if there was every where a disposition without . . . nonsense to concert a national plan I would cheerfully come to Philadelphia and assist in it. . . . Break this subject seriously to our friend *Pickering*. His views are sound and energetic; and try to bring the other Gentlemen to a consultation. If there is . . . a proper temper & it is wished send for me & I will come."²³

Hardly had Adams named Murray when he consented to supplement him with two more who, however, were not to leave the United States except upon fuller assurance from France. This was given, but on the heels of it the Directory was disrupted by a new revolution in the government. Adams was at Quincy, and reluctantly yielded to the plea of his Cabinet to meet them at Trenton.²⁴ He consulted on instructions to our ministers, but surprised by dispatching them without waiting to know whether the new Directory would receive them. Hamilton found this hasty in several views, but his criticisms of Adams on this account had better been forborne since the result of the President's choice was a grateful peace.²⁵

Hamilton cleared himself of Adams' imputation that Hamilton made a rendezvous in Trenton with the Cabinet members and Chief Justice Ellsworth to consolidate opposition to the French mission. Adams' account of the Cabinet contretemps was, "Finding my Ministers . . . contriving to defeat my Negotiation with France, I went from Quincy to Trenton to compel them to do their duty. Hamiltons appearance there was altogether unforeseen, unrequested and undesired. It was a sample of his habitual Impudence. . . . Hamilton thrust himself into my presence uninvited, and talked like an impertinent ignoramus. . . ."²⁶

Hamilton went to Trenton purely on military business and not for political meddling. He wrote from New York to the Secretary of War, "General Wilkinson has just returned to this city, and will set out together with myself for Trenton . . . in order to settle definitively with you the requisite arrangements for the Western

army."²⁷ For ten days at Trenton he worked with his secretary, as at New York, on routine orders.²⁸

However, at Trenton, in close contact with members of the Cabinet before and after Adams arrived, he learned of and discussed the President's resolve, taken solo, to dispatch envoys. This was a political decision, but it intimately involved military preparations and dispositions which were in Hamilton's province. To restrain himself from argument he must have ignored his long-time confidential relations with the secretaries and suppressed his penchant for participating in public policy. Promptly on his return he wrote Washington: "The President has resolved to send the commissioners to France notwithstanding the change of affairs there. He is not understood to have consulted either of his ministers, certainly not . . . the Secy. of War or of Finance. All my calculations lead me to regret the measure. I hope that it may not in its consequences involve the United States in a war on the side of France with her enemies. My trust in Providence . . . is my only consolation."²⁹ Washington in reply was "surprised . . . exceedingly . . . at the measure, . . . more so at the manner of it," and could only pray all might end well.³⁰

A week after Adams' envoys sailed for France, Hamilton received a report of widening rift in Federalist ranks and a forecast of defeat for the party. This was in a political letter from James McHenry, not a man to take premature alarm. The rumor of disagreement between the President and three of his department heads was too true. When Adams, soon after reaching Trenton, convened the Cabinet to approve instructions for the French mission, he could not fail to know that Pickering, Wolcott, and McHenry held the policy to be impolitic. McHenry thought the other two were in the President's bad books because he blamed them for opposition in New England. Stoddert, Secretary of the Navy, and the Attorney General escaped the presidential frown. Ousting secretaries would not cure the evil, for "the mission . . . is become an apple of discord to the federalists" and threatened to lose them the coming election. It was plain from the results in Pennsylvania "that there is a disciplined and solid army of antifederalists ready to take the field for a President of their own principles. . . ."³¹

In detailing Adams' behavior in dismissing Pickering and Mc-

Henry, Hamilton revealed passionate charges against them and against himself which he could have known only from those ministers or their closest friends. It must have been evident to any reader that he was in receipt of information that should have remained private. The import was that Adams was jealous, harsh, so unstable as to be unfit for the Presidency.

He blamed Adams for pardoning Fries; policy demanded that Fries be made an example, and, equally bad, letting him off flew in the face of what Adams had before promised. He concluded with his personal resentments of the President, who had opposed his military preferment, "indulged . . . in virulent and indecent abuse" of him, and called him the leader of a British faction. Hamilton resisted the last with special emphasis. He appended remonstrating letters, which Adams did not answer. He had urged Jay's mission as a last effort to obviate war. It was after some hesitation (and he gave his objections) that he supported the treaty. In fact, he had been disposed to bear more from France than from Britain in deference to American prejudice in favor of the former.³²

Hamilton ended with glaring inconsistency. He guessed that if Adams were reelected the government might totter, if not fall, under him. Yet he would not "advise the withholding from him a single vote." The reason: he could not wean the majority of Federalists from Adams, and even the dissatisfied were willing to support Adams equally with Pinckney. This was what Hamilton advised. By voting for Adams and Pinckney "a third candidate" (Jefferson) would be safely excluded; if Adams was elected, the majority of Federalists would be satisfied; if the choice fell on Pinckney, Hamilton and his group would be best pleased. He would not draw votes from Adams because party harmony was the price of "every social and domestic blessing" in America.³³

The reader was left with the query, why, then, assail President Adams? Hamilton answered that he must defend himself, his friends, and disclose truths important to the public welfare. In doing so, he offered the opposition the loudest campaign cry. If his abomination of Jefferson's election was what he declared, he ought to have refrained from attacking the Federalist President running for a second term.

If, after release of his pamphlet against Adams, Hamilton could

have had the services of a clipping bureau, he would have received varying proofs of the sensation he had created. But he was sufficiently aware of it. "The press teems with replies," he wrote to Pickering in mid-November, "and I may . . . think it expedient to publish a second time" with new anecdotes of Adams' unworthiness, in which he asked Pickering's assistance.³⁴ This looks as though he had no regrets, but instead was feeding his defiance. Of course, Adams men were swift in rebuttal, and Democrats exulted in the disservice Hamilton had done his party and himself. Friends like Goodhue and Carroll approved the piece as an act of candor.³⁵ Cabot, whose warnings Hamilton had ignored, reported that many Federalists, even those who "approved the sentiments, thought the avowal of them imprudent, and the publication of them untimely." Also, men whose opinions Hamilton would respect accused him of exhibiting the same vanity which he charged against Adams.³⁶

Of the formal counterblasts to Hamilton's censure of Adams, one of the lustiest was by James Cheetham, a prime "disorganizer." The struggle between Britain and France set the pattern of convulsions in America. Hamilton was "the zealous friend of monarchical government, . . . a dangerous character under any republican system."³⁷ "Have you not . . . forgotten that you was an American, and warmly panegerised the government of Great Britain? . . . have not the agents of that country been the inmates of your heart . . .?"³⁸ President Adams had "too much judgment and independence to submit to the leading strings of the ex-secretary. Here was disappointed ambition; . . . a clue to that mysterious character, whose power, if equal to his will, would bestride the world."³⁹

Cheetham called the French Revolution "the noblest in the annals of time, with which the liberty and happiness of unborn millions is essentially connected." France was justified in rejecting Pinckney and in demanding tribute of envoys inspired by "rancorous" Federalism.⁴⁰ He lauded Adams for his policy of peace, pardoning Fries and accommodating differences at Paris.⁴¹ But his principal praises were for Jefferson. In contrast, he made ungenerous use of the Reynolds pamphlet to expatiate on Hamilton's lapse from private rectitude.⁴²

Noah Webster ("Federalist"), describing himself as a hardy son of the Northern states, was provoked by the attack on Adams to a

counterassault on Hamilton.⁴³ This review was impressive, because from an able man, long loyal to Hamilton's principles. The policies he reprobated were recent. While Hamilton was in the government and even after his resignation he filled the office of prime minister in harmony. But President Adams restrained his influence "and called into *open* opposition, the *secret* enmity which . . . long rankled" in Hamilton's breast. His objections to Adams were largely of a private, trifling nature hardly worthy of refutation. It was Hamilton's fault that his party was divided, and he would be the culprit if an anti-Federal man became President.⁴⁴

The ill success of Hamilton's attempt to raise an army was mainly responsible for his open attack on Adams. The President's mission to France, removing every pretext for a permanent armed force, produced "the deep chagrin and disappointment of a military character" devoted to that ambition.⁴⁵

Hamilton's prominent talents gave him a confidence in his influence that disdained public opinion and overleaped prudence. Webster reminded of instances when Hamilton invited mob attack in defending the Jay treaty, and made public avowal of his intrigue with Mrs. Reynolds. The most reckless was the present attempt to split the Federalists "and . . . compleat our . . . ruin!" In sum, Hamilton's "ambition, pride, and overbearing temper" had destined him to be "the evil genius of this country."⁴⁶

Another Federalist (as is supposed, William Pinkney) saw Hamilton hoist on his own petard.⁴⁷ This critic was not quite so fierce as he sounded when he proclaimed his intention to "discover the black blood that eddies round [Hamilton's] heart." However, if the Jeffersonians succeeded in the election, blame must be laid to Hamilton's "malice of disappointed ambition, animated with the hope of speedy resuscitation" should C. C. Pinckney become President.⁴⁸ Hamilton's army was useless; Adams' naval defenses were approved by the people.⁴⁹ Hamilton took umbrage at being called pro-British, yet "this same tender mind could bear the reproach of breaking one of the most solemn ordinances . . . of God and man. . . ."⁵⁰

A Vindication of the Conduct and Character of John Adams (the author not identified, but was a New Yorker) sought to show that Hamilton's "anxiety to continue his *political importance*" was

the clue to this infatuated performance.⁵¹ Hamilton wrote under an obsession that adjourned his judgment and blotted out his own vulnerability. Since Hamilton ended by refusing to divert a single vote from Adams, "Why . . . in the name of common sense, was this extraordinary performance published at this critical moment?"⁵² Many dispassionate Federalists would now fear internal jars from the success of Adams or Pinckney, and prefer Jefferson's election "as an event less fatal to the harmony and prosperity of our government." Hamilton, "the statesman, the patriot, the polar star of Federalism, now indulges a most lethargic slumber. When he wakes from his delusion, how will he . . . bear the yell of Jacobinic triumph that shall hail a Democratic President!"⁵³

Wolcott was resigned to the split in Federalist ranks, and before the issue of the election was known gave a gloomy but accurate forecast for his party: "The division among the federalists, is a necessary effect of a cause, which is much to be deplored. though men may disagree respecting the merits or faults of individuals, it is certain none can be found sufficiently submissive, to subscribe to the terms of their own dishonour; the division will therefore continue & all attempts to reconcile it will be fruitless." If the Democrats were certain they could not elect Jefferson, they would espouse Adams, only for the mean purpose of deepening dissension among their opponents.⁵⁴

Suppose Hamilton had made no difficulty about John Adams as the Federalist candidate to a second term, had effaced himself where he found Adams antagonistic, had devoted himself to the law in which he enjoyed eminence and accumulated needed income. Would the history of America have been different? Adams would likely have been defeated anyhow. Jefferson did not upset the national applecart. He began his administration with the Louisiana Purchase which was in the Federalist spirit. He conformed, practically, to several Federalist tenets. America's condition was mostly determined in the next years by fortunes in Europe, not here. Anyhow, John Marshall as chief justice cherished central authority. The Federalists' work was measurably done. Continued in power for another term, they might have further offended against liberty, as in the Alien and Sedition laws. In a dozen years they had supplied the material basis for a more democratic government. It was time for the new dispensation.

Do Not Compound with Burr

SOME Federalists, not the staunchest, in 1800–1801 dreading the election of Jefferson to the Presidency, wondered whether the party should not choose the lesser evil and make common cause with Burr. This temptation became stronger when it was touch and go whether Burr would not become President anyhow. Back in the summer, when the campaign was warming, this had come to Cabot's ears. Those favoring the expedient "conceive Burr less likely to look to France for support than Jefferson, provided he could be supported at home. They consider Burr as actuated by ordinary ambition, Jefferson by that and the pride of the Jacobinic philosophy. The former may be satisfied by power and property, the latter must see the roots of our society pulled up. . . ." ¹ Pickering repined that the South Carolina Federalists, who held the scales, had not sacrificed Adams, allowed Jefferson on the ticket, and plumped for Pinckney to ensure a President of their party. ² When it was too late for that, and Jefferson and Burr had equal votes, "the devoted friends of the former are alarmed lest the federalists should prefer the latter. . . . From all that I hear, I am . . . inclined to think Mr. Burr will be preferred." Considerations were: "Fewer changes in office will then be necessary. General Marshall may then remain in the department of State: but if Mr. Jefferson be chosen, Mr. Marshall will retire. . . . There are said to be many ingenious reasons why the federalists at Washington

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. . . prefer Mr. Burr. . . they probably suppose that the federal interest will not be so *systematically* opposed under Mr. B. as under Mr. J." He hinted at a bargain: "Perhaps this may be *previously understood*."³

When this vagrant intention came to Hamilton's notice, he laid himself out to counteract such a lapse. Bitter disappointment in the eclipse of his party, especially the failure of Pinckney, he could accept, but not the disgrace of a Federalist composition with Burr. He forthwith wrote to influential friends—most of them reliably against any engagement with Burr, some said to be wavering—utterly rejecting such a move. Better his historic foe, Jefferson, whose integrity, by comparison, he respected, rather than the supple Burr, whom he distrusted. This was a patriotic more than a political choice. Burr would sacrifice the country to his abandoned purposes. Preservation of the Federalist party was an object with Hamilton, but survival of the government was a greater.

Hamilton, by his connivance and then open declaration against John Adams had contributed to Federalist defeat and by the same token to the split in party loyalty. That error was past. He would not now permit the further result, as grievous as unforeseen. If he had earlier seduced himself into a foolish course, he would not now see others fall into a crueler trap. If he had made a misstep before, he righted himself. To defeat Federalist complicity with Burr was more than penance for his own sins. It was an act of honor. Hamilton had helped build a nation, and a political party incidentally. He would not permit the instrument to destroy his masterwork. His excoriations of Burr were unsparing. Though given confidentially, with permission to communicate them discreetly, these denunciations of Burr's personal and public character leaped from the page to the tongue, and lived in the memory of men. Of their effect on the election, so nicely balanced in the House, we cannot doubt. Directly and indirectly through spokesmen, Hamilton's stern plea must have determined votes against Burr and for Jefferson.⁴ Adams had been said to be too complacent toward Jefferson earlier, but after his own repudiation he sulked and exerted no influence in the ensuing scene. Politically damaged, Hamilton was still the moral leader of the Federalists, vocal, unselfish, and unafraid. In his prayers, or commands, that Federalists should not make Burr President he was ringing his own

death knell—not politically, but physically. If Burr did not know Hamilton's afflicting words at the time, he knew the result, and, too accurately, the words later. Four years of disgruntlement were to intervene before Hamilton again took the lists against him, making sure that Burr did not soothe his wounded pride with the governorship of New York. It was an incident of this second frustration that furnished occasion, or excuse, for Burr's challenge to the duel. But unless we are to suppose the man unconscious of the motives that made events, and unaware of a persevering source of his misfortunes, we are bound to know that hatred long rankled before it broke out in the proposal of pistols.

But enough of description; better Hamilton's own words.

With Senator Gouverneur Morris a word to the wise was sufficient, so Hamilton put the case crisply: "*Jefferson or Burr?* the former without all doubt. The latter . . . has no principle, public or private; could be bound by no agreement; will listen to no monitor but his ambition, and for this purpose will use the worst part of the community as a ladder to permanent power, and an instrument to crush the better part. He is bankrupt beyond redemption,⁵ except by the resources that grow out of war and disorder, or by a sale to a foreign power, or by great speculation. War with Great Britain would be the immediate instrument. He is sanguine enough to hope every thing, daring enough to attempt every thing, wicked enough to scruple nothing. From the elevation of such a man may heaven preserve the country." Rather, let the Federalists, who could tip the beam, "obtain from Jefferson assurances on certain points: the maintenance of the present system, especially in the cardinal articles of public credit—a navy, neutrality."⁶

To others, who showed signs of hesitation between Jefferson and Burr or leaned toward the latter, Hamilton wrote elaborately, gravely deeper the pernicious results of compounding a felony with "the Catiline of America." This scornful epithet he applied frequently, as in solemn warnings to Wolcott, who found some principal Federalists at the national capital undecided to which candidate to veer, or favorable to Burr. John Marshall, Secretary of State, had "expressed no opinion," while Sedgwick was "inclined to support Mr. Burr, and this I find . . . a prevailing and increasing sentiment of the federalists."⁷ For the benefit of erring Fed-

eralists, as he believed them, especially Sedgwick,⁸ Hamilton admonished Wolcott that the party must not forfeit its title to confidence by acting an unworthy part in this "capital instance."

Bayard of Delaware was in a strategic position in the House. As the single representative of a state, he could throw the election to Jefferson. Federalist sentiment was setting ever more strongly toward Burr, and party loyalty and plausible reasons besides pulled Bayard that way. He was unresolved what to do.⁹ With the matter so poised, Hamilton expended special efforts on Bayard to dissuade him and his fellows from giving the Presidency to Burr. Hamilton could not have been more earnest or illuminating had he known, what he learned only after the issue was decided, that Bayard "had contrived to lay hold of all the doubtful votes in the House, which enabled [him] to protract or terminate the controversy."¹⁰ Not improbably the attempt to tip the scales for Burr would fail, riveting the animosity of Jefferson, tempting him to extremes, disgracing the Federalists for their scoundrelly choice. If it succeeded, it would promote the Jacobin system because Burr was bolder than Jefferson. Burr could not be won to Federal views, would be "restrained by no moral scruple" in calling to his side "rogues of all parties to overrule the good men of all parties. . . ." Far better to have Jefferson as political enemy than Burr as fancied friend. "Adieu to the Federal Troy, if they once introduce this Grecian horse into their citadel."¹¹

Again to Gouverneur Morris, Burr's "elevation can only promote the purposes of the desperate and profligate. If there be a man in the world I ought to hate, it is Jefferson. With Burr I have always been personally well. But the public good must be paramount to every private consideration."¹² He patiently rehearsed and vigorously refuted the arguments offered for Federalist favor to Burr. He reminded that his sincerity in this stand was patent: "To contribute to the . . . mortification of Mr. J., would be, on my part, only to retaliate for unequivocal proofs of enmity; but in a case like this, it would be base to listen to personal considerations."¹³

Hamilton would not be Jefferson's apologist, for "his politics are tinctured with fanaticism; . . . he is too much in earnest in his democracy; . . . he has been a mischievous enemy to the principal measures of our past administration; . . . he is crafty . . . not scrupulous about the means of success, nor very mindful of

truth, and . . . he is a contemptible hypocrite." That said, it must be remembered that he was no enemy to scope for the executive, especially as he might want it himself one day. Hungry for popularity, he would be slow to overturn what was established. He would be temporizing rather than violent. As favor for France cooled in America, so would Jefferson's zeal for that delirium. Nor was he "capable of being corrupted."¹⁴ In a succession of urgent appeals, Burr was described as "one of the most unprincipled men in the United States,"¹⁵ "cares only for himself, and nothing for his country or glory,"¹⁶ "a voluptuary by system,"¹⁷ "far more *cunning* than *wise*. . . . more *dexterous* than *able*."¹⁸

Hamilton had his wish, Bayard reporting to him, after long struggle in the House, "I came out with the most explicit and determined declaration of voting for Jefferson." The result was right, though Bayard confessed that he might have chosen Burr had Burr chosen the Federalists. But Burr was "determined not to shackle himself with federal principles. . . ."¹⁹

So the drama ended, as high drama should, with the villain punished, but not altogether black.²⁰ Though Hamilton entreated Federalists not to favor Burr, eighteen months before he had been of contrary mind, though the circumstances were different. At that time Hamilton wrote Wolcott: "Col. Burr sets out today for Philadelphia. I have some reasons for wishing that the administration may manifest a cordiality to him. It is not impossible he will be found a useful cooperator[.] I am aware there are different sides but the case is with the experiment. He will call on McHenry. . . ."²¹

Burr, in letters about the election, belied sinister machinations attributed to him. Beforehand he notified R. R. Livingston that "our" friends in Charleston did not doubt that Jefferson would have the eight votes of that state. Then after reporting probable results nationally, ". . . we deem Jefferson's election pretty sure and as to the V.P.— Adams & P[inckney] appear to have about equal chances."²² And a week later, "It is highly improbable that I shall have [an] equal number of votes with Mr Jefferson," but he disclaimed all competition.²³ At the end of the month he bore with what composure he could resentments against his unexpectedly good showing. A friend asked whether if he were chosen President he would engage to resign. To this impertinence he refused

to reply. He confided to another that his answer would have been "no," explaining "I was made a Candidate against my . . . will; God knows, never contemplating or wishing the result which has appeared, and now I am insulted . . . for having suffered [my name] to be used. . . . however . . . no such terrible event is . . . to be apprehended. . . ." ²⁴

Whoever else came or went among adversaries of the Federalists, George Clinton of New York remained, and strictures on his rule run like an obbligato through Hamilton's political polemics. In the spring of 1801 he was the candidate of unreconstructed Republicans to regain the governorship following the term of John Jay. The Federalists, led by Hamilton, anxious to salvage New York in face of Jefferson's national sweep, ran the Lieutenant Governor, Stephen Van Rensselaer. Burr predicted Clinton's victory, with a comfortable majority in the southern district in spite of possible success of Van Rensselaer in the city itself.²⁵ A month later Cabot, in review of Federalist prospects in the states, had special worry over New York, "where Hamilton has made great & brilliant efforts in favor of Rensselaer [*sic*] . . . our reports are favorable but by no means satisfactory."²⁶

Hamilton's electioneering, besides the inescapable local party muster, took the form of printed addresses to the electorate. The second²⁷ joined issues with the campaign document of Clinton's supporters. He subordinated the state contest to discussion of the posture of parties in the nation. In reasoned retrospect, without bitterness for opponents, he rehearsed Federalist accomplishments during a decade that had brought the Republic, in Jefferson's own words in his inaugural, to "the full tide of successful experiment." "Success in the *experiment* of a government," he emphasized, "is success in the *practice* of it, and this is but another phrase for an administration, in the main, wise and good." He justified seriatim principal Federalist policies—formation of the Constitution, funding system, assumption of state debts, indirect taxes, British treaty, limited standing army, and, with less enthusiasm, the sedition law.²⁸

After castigating the rule of French revolutionaries as "the subversion of the throne of the *Bourbons*, to make way for the throne of the *Bonapartes*, he gave unfeigned acknowledgment to President

Jefferson's desertion of his fellows who would have Americans follow that example. He referred to Jefferson's inaugural speech: "we think it proper to make a public declaration of our approbation of its contents. We view it as virtually a candid retraction of past misapprehensions, and a pledge to the community, that the new President will not lend himself to dangerous innovations, but in essential points will tread in the steps of his predecessors." He turned Jefferson with his recently proclaimed "moderate views" against "the violent projects of the men who have addressed you in favor of Mr. Clinton. . . ." Jefferson, by his departures, would sacrifice the support of many who had elevated him, but "in the talents, the patriotism, and the firmness of the Federalists, he will find more than an equivalent for all that he shall lose."²⁹

Always eager to inform and have the aid of public opinion, Hamilton habitually wrote in the newspapers, beginning in his youth in the West Indies. His "Publius" (*Federalist*) and *Camillus* essays are only the best known examples; many of his pieces, dashed off to serve an instant purpose and signed with a pseudonym, are now difficult or impossible to identify.³⁰ Earlier he had a sympathetic relationship with Fenno's *Gazette of the United States*, but not until after Jefferson's election, when he was especially anxious to cultivate a Federalist press, did he serve as sponsor of a newspaper, the *New York Evening Post*. William Coleman, the editor, regularly visited Hamilton for interviews which, taken down in shorthand, became the paper's political pronouncements. Besides deliberate statements, much of the lively day-to-day parry and thrust in the *Post*'s columns traced to Hamilton's alertness to improve party advantage.³¹

The *Post* was commenced when New York Federalists lost confidence in Noah Webster's editorship and politics. This appears in a candid application of Theodore Tillemont to become Webster's assistant. "You are aware . . . of the extraordinary patronage which a new daily & half weekly . . . to be edited by William Coleman, and designed to supplant the Commercial Advertiser & the Spectator, has received from the Federal interest of New York. The feeble manner in which your papers have been conducted, of late, owing to your absence have led to this result. . . . Not a day is to be lost. Your rival's subscription list is rapidly increasing.

Where *his* paper is taken, *yours* will be discontinued. . . . Your own presence, and that of a *competent* editor, will be indispensibly [*sic*] necessary to rescue your papers from neglect & yourself from loss.”³² Webster called to his aid Samuel Bayard who was not attracted by a salary (though plus commissions for new subscribers) less than half of the \$2,000 which Bayard knew Coleman was “to receive for his services as Editor of the papers that will appear under his name.”³³

Webster himself at this time was declaring certain disagreements with fellow Federalists. He always thought the previous administrations too apprehensive of war with Britain, “which led them to make some improper sacrifices to peace with that country.” They abandoned our rights as a neutral. “I . . . opposed the Hamiltonian project of raising a large army. . . . Some unworthy intrigues of the federalists, and their overbearing, persecuting spirit, which devotes every man to execration, who will not be as violent as themselves, have greatly disgusted many men of the party who have no wish but to see their country prosperous & happy.” However, he condemned more vehemently Jefferson’s anxiety to “*make vacancies* & fill them at pleasure,” (spoils system), which invited corruption of public morals and convulsion of government.³⁴

In the first issue of the *New-York Evening Post*, November 16, 1801, Coleman gave his prospectus. Liberal patronage was already promised. As the paper “must derive its principal support from the Merchants of our City, particular attention will be bestowed on whatever relates to that large and respectable class. . . . The design . . . is to diffuse among the people correct information . . . ; to inculcate just principles of religion, morals and politics. . . . Though we openly profess our attachment to that system of politics denominated Federal, because we think it most conducive to the welfare of the community . . . , yet we disapprove of that spirit of dogmatism which lays exclusive claim to infallibility; and . . . believe that honest and virtuous men are to be found in each party.” The profession was more democratic than that some expected from the sponsorship of Hamilton, Troup, Varick, Gracie, and their friends, for Coleman went on to declare that the people wanted proper information only “to enable them to judge of what is really best.”

The leading editorial urged harmony in party ranks, since “the

cause of Federalism has received as much injury from the indiscreet contentions . . . among those who profess to be its friends, as from the open assaults of its enemies."³⁵

Far more of a blow than the triumph of Jefferson in this ill-starred year 1801 was the fall of Philip Hamilton, the eldest son of the family, in a senseless duel. He was only twenty, had just graduated from Columbia College, and was regarded as the most gifted of the children. His portrait shows a youth of striking countenance, with his father's animation and his mother's effulgence. Troup wrote to Rufus King in London, "For twelve days past the city has been . . . agitated with a duel between Hamilton's oldest son Philip and a Mr. Eacher [Eacker]—a brother lawyer of mine and a violent and bitter democrat. . . ." Philip soon died of his wound. "Never did I see a man so completely overwhelmed with grief as Hamilton has been. The scene I was present at when Mrs. Hamilton came to see her son on his death-bed (he died about a mile out of the city) and when she met her husband and son in one room, beggars . . . description. Young Hamilton was . . . promising in genius and acquirements and Hamilton formed high expectations of his future greatness. . . . At present Hamilton is more composed and is able again to attend to business; but his countenance is strongly stamped with grief."³⁶

The tragic forecast of Hamilton's own untimely end so soon afterward ran back to Eacker's oration on the previous July 4th. The occasion was literally a Republican field day, the first chance to celebrate independence of Federalist control.³⁷

The speech of Captain George I. Eacker at the Brick Church was a swift review of twenty-five years of national history and not more offensive to Federalists (were any present) than they had a right to expect. Britain was assailed for trying to involve us in war with France. ". . . persecution, for political opinions, stalked forth with . . . erected crest! To suppress all opposition by fear, a military establishment was created, under pretended apprehension of a foreign invasion. This measure, the most . . . hostile to Liberty, was adopted under the favorable crisis of public panic." Banishing the dangers of a monied aristocracy, "election of 'The Man of the People' . . . has completed the . . . termination of the blind infatuation."³⁸ The oration was published at the re-

quest of the committee of arrangements, and evidently young Hamilton had read it with resentment of allusions to the political party led by his father.

Perhaps the same filial attachment took Philip to the theater Friday evening, November 20, when the comedy was *The West-Indian*, with Mr. Hallam and Mrs. Jefferson in principal roles.³⁹ If so, the son's loyalty took an indiscreet turn when, with a friend, Price, he entered the box where Eacker was and in loud conversation cast "pointed ridicule on [the] oration delivered by Mr. Eacker. . . ." Eacker, annoyed by what was intended for his ears, gave the jibes no outward notice, but engaged his own party in conversation to distract their attention. Following the intermission, the youths returned to the box from the other side of the house, and repeated their rude remarks. No longer willing to pretend he was deaf, Eacker asked Hamilton into the lobby, where Price followed. Eacker exclaimed, "I will not be insulted by a set of rascals." The younger men demanded to know who were rascals, and continued to repeat the question in a provocative way until Eacker replied that he meant the two of them. The noisy altercation attracting attention, Eacker proposed they leave for a private place. Mutual irritation did not subside at the nearby tavern. Eacker, returning to the theater, told his taunters that he lived at 50 Wall Street and would expect to hear from them. They assured him he would not be disappointed. That night Price sent a challenge. Hamilton immediately consulted with his friend D. S. Jones, and his cousin, Philip Church. They wisely counseled that, since he had given first offense, his message to Eacker should not close the door to accommodation.

This correspondence was interrupted by Eacker's duel with Price; they exchanged four shots, but both came off unscathed. John(?) Lawrence, acting as the friend of Eacker, was equally the intimate of the Hamilton family. He urged on Eacker what Philip's confidants proposed, namely, that Eacker should retract "rascal" and Philip would apologize for his conduct at the theater. Philip's youth (he was much Eacker's junior) and the political inspiration of his behavior would warrant indulgence. But Eacker was stubborn, and Hamilton sent his challenge Sunday afternoon. He wanted the earliest meeting, to keep the preparations from his family.

Next day on the Jersey shore (Weehawken, presumably) was illustrated the danger of pistols even where there is compunction. Philip, since the first blame was his, had resolved to let Eacker fire first, throw away his shot, and let his antagonist decide whether to resume. Philip had told this to his second. On the ground each waited a minute or more for the other to act. Had Hamilton then discharged his pistol at the ground all would have been well. As it was, both drew up the weapons at the same instant, and in the shock of his wound Hamilton fired. He bore his pain in full consciousness, and died before the next dawn.⁴⁰

A Columbia classmate, the night of the duel, was called to the room of the dying boy, and described the scene. "On a Bed without curtains lay poor Phil, pale and languid, his rolling, distorted eye balls darting . . . the flames of delirium. On one side of him on the same bed lay his agonized father, on the other his distracted mother, around him . . . relatives and friends weeping . . . I could continue in the room but for a very short time; returning Home I quickened my pace almost unconsciously, hoping to escape the image as well as the reality of what I had witnessed. It appeared that the Ball had entered the right side just above the hip Bone, passed through the body and lodged in the left arm. Yesterday I was invited to attend his funeral . . . the day very rainy. . . . His poor father was with difficulty supported to the grave of his hopes."⁴¹

Distress of the family was the more acute because Mrs. Hamilton was three months pregnant, and her shock and anguish endangered her health. At first she could not be comforted.⁴²

Her father, at Albany, was ignorant of the tragedy until after the funeral. He wrote a fortnight later hoping and planning for her welfare. "I trust that resignation to the divine will has so far tranquillised your mind as to mitigate the severity [*sic*] of the Anguish which has been inflicted on you and all of us." It should afford her consolation that our dear departed child showed such aversion to shedding blood and "pursued every measure which propriety and prudence could dictate to avoid It." She had reason to trust that "his Spirit is in the realms of Eternal bliss." He had urged Hamilton to bring her to them at Albany. If there was no sledging he would "send my strong horses to your Brother's at Rynbeck with my Coachman to relieve your horses, but If there

should be sledging, I will send my covered Sled and horses to your Brothers and then your Coachee may be left there. . . . Your Coachee is sufficiently roomy to bring the nurse and the three younger children with you which will add greatly to our satisfaction." He ended with fresh endearments.⁴³

In childhood, youth, and early manhood Hamilton was shunted from place to place; he enjoyed the hospitality of several, but had no hearth of his own. Then for a number of years he and Elizabeth lived in rented quarters until they bought a house, Number 58 Partition Street, New York, in 1797,⁴⁴ but this could not have been large enough for their growing brood. The Schuyler mansion at Albany always offered welcome to the Hamiltons, and some of them—frequently children without either parent—were there continually. The ample proportions of this handsome house, with farms to provision it, not to speak of the affectionate family which made it a focus, must have roused in Alexander and Elizabeth the hope of modest imitation. Hamilton's practice was prosperous. He had left off appearing in the lowest court, confined himself more and more to office counseling, had more applications from eligible student-clerks than he could accept.⁴⁵ Having enjoyed country life when he leased a place with the Churches the year before, in the fall of 1799 he fixed on a tract in Harlem adjoining his friend Ebenezer Stevens. He offered £800 for sixteen acres lying on the Hudson River and including a portion of woodland, or, if the owner preferred, £30 an acre for the entire parcel. If he took all he would pay half down and the remainder within a twelvemonth.⁴⁶ He bought some thirty acres.⁴⁷ The location is eight miles from Bowling Green, just north of what is now the main campus of the College of the City of New York. The Bloomingdale Road, on which he had retreated in the evacuation after the battle of Long Island, ran diagonally through, separating the farm on the east from a good house site on the west overlooking the river. Public transportation was nonexistent, except by the daily New York—Albany mail stage with terminus at Cortlandt and Greenwich streets, if one did not mind its awkward hours, but Hamilton, who had always kept horses even in town, would ride or drive the distance in an hour or so.

A year after purchase of the land the house was designed by John

McComb, whose best known works include the City Hall, Castle Clinton on the battery (long the immigration station and later aquarium), and the Old Queens building of Rutgers University. The builder was Ezra Weeks, whose brother Hamilton defended in his murder trial shortly before. The house is standing, on Convent Avenue just above 141st Street, wedged between a church and an apartment structure, having been moved from its original site a couple of hundred yards northwestward (142nd Street and Tenth Avenue) when that ground yielded to development.⁴⁸ It is a dignified, not pretentious, country house in the Federal style, with high basement, two floors, large chimneys for the many open fireplaces, and as built had a low balustrade surmounting the cornice. Construction by the thorough methods of those days required two years; it was completed in the last months of 1802 or early 1803 at a cost of £1,550. As in other instances expenses increased beyond expectation, so that midway of the project Hamilton mortgaged 34 acres of the farm with its outbuildings to Louis and Mary LeGuen for a loan of \$5,000.⁴⁹

General Schuyler, always the benevolent *pater familias*, was hardly less eager about the place (called Grange for the Hamilton home in Ayshire or perhaps for the Lytton plantation in St. Croix) than was Hamilton himself. When he failed to secure a suitable contract from a builder at Albany, he went himself to Saratoga to procure timbers, boards, and planks and have the latter put in water for two months before being seasoned. He wished number and dimensions of boards, as they could be worked up to best advantage at the sawmills. He advised that outer walls be filled with brick and partitions be of solid planking to furnish no space to rats and mice.⁵⁰ When Hamilton's horses were drowned on the way down from Albany, and their load of paint and oil was feared lost, Schuyler offered to supply more materials, have the house painted, and, for good measure, made Hamilton a present of another team.⁵¹

The eight fireplaces upstairs (and perhaps the two in kitchens in the cellar) were designed on the scientific principles of Count Rumford, so as not to smoke, and throw out maximum heat from their iron firebacks. When inspector general, Hamilton had been struck with this improvement, and recommended to the Secretary of War that an abstract of Rumford's instructions, as simple and

concise as possible, be sent to all commanding officers to be followed in garrison quarters.⁵²

"A disappointed politician you know," Hamilton wrote to Richard Peters, "is very apt to take refuge in a Garden. . . . In this new situation, for which I am as little fitted as Jefferson to guide the helm of the U. States, I come to you as an Adept in rural science for instruction." He intended to devote his fields to grasses, inquired for the best sorts; he commissioned Peters to send him a couple of bushels of seed of a special red clover. His soil, he related, was a too sandy loam; he appeared to subscribe to local report that "plaister of Paris" (lime) would help it "if applied in a pretty smart shower of rain. . . . The rain is supposed to purify the air of the sea salts which are believed to be the obstacle to the salutary operation of the Gypsum."⁵³

Peters, wanting to be helpful, began with Hamilton's old, not his new, preoccupation: "I *marvel* that you should be a disappointed Politician. I am a mortified but not disappointed one. You must have foreseen the Catastrophe that has befallen us. . . . I am glad you have this little Syren to seduce you from public Anxieties. But take Care," he warned sagely, "that the meretricious charms of this new Flame do not make too great Drafts on your Purse."⁵⁴

Similarly Hamilton solicited melon seeds from Charles Cotesworth Pinckney of South Carolina and would be grateful for parakeets for his daughter Angelica, but could not forbear asking: "Amidst the triumphant reign of democracy, do you retain sufficient interest in public affairs to feel any curiosity about what is going on? In my opinion, the follies and vices of the administration have as yet made no material impression as to their disadvantages."⁵⁵ Hamilton is said to have visited often, in his trips to and from the Grange, the extensive botanical gardens of his friend and physician Dr. David Hosack where Rockefeller Center now stands.⁵⁶ Perhaps it was here that he got directions for a circular bulb bed, eighteen feet in diameter, with nine each of tulips, lilies, and hyacinths, alternating by threes. He drew a plan to illustrate. A tasteful touch was "Wild roses around the outside of the flower garden with laurel at foot," and borders of shrubbery and grove should be brightened with laurel, sweet briars, and dogwood.⁵⁷ Doubtless Hosack gave him his recipe for that gardener's

talisman, the compost heap, "to consist of 3 barrels full of the *clay* which I bought, 6 barrels of *black moulds*[,] 2 waggon loads of the best clay on the Hill . . . , and one waggon load of pure cowdung. Let these be well and repeatedly mixed and pounded together to be made use of hereafter for the Vines."⁵⁸

We may be sure that he gave loving attention to all planting arrangements when at home, for his letters to his wife, when he was away for a few days, often show his mind running on improvements. Thus in a two-day stay at Peekskill, "It has always appeared to me that the ground on which our orchard stands is much too moist. To cure this, a ditch round it would be useful . . . three feet deep by three feet wide at the bottom. The clay that comes out of the ditch will be useful to give firmness to our roads. . . ."⁵⁹ This followed suggestions from his stop two days before at Claverack: the ice house should be ventilated by two wooden chimneys, "each about two feet square & four feet long half above half below the ground[,] to have a cap on the top sloping downwards . . . The aperture for letting in and out the air to be about a foot and a half square in the side immediately below the cap," and he drew a picture of what he wanted. The piazzas (a word from West Indian days) were to be caulked, and "additional accommodations for the pidgeons" (loved of Angelica) should be made, by the carpenter. "You see I do not forget the Grange . . . nor any one that inhabits it."⁶⁰

The kitchen fireplaces (one had "a Strong Iron back . . . five feet long," two cranes, and an oven) were supplied with cookables partly from the farm and vegetable garden, and frequently by way of "prodigious gifts" sent on the river sloops from the ampler Schuyler menage at Albany and Saratoga. Schuyler, always the commissary-general at heart, would give winter warning that his fat cattle were to be slaughtered. His letters to his daughter are often of the larder.⁶¹ We are told that Hamilton would range the Harlem woods with his single-barreled fowling piece, but this yielded more relaxation than repast.

We have a glimpse of life at the Grange in a mention by Chancellor Kent of a weekend visit in the spring of 1804: "There was a furious . . . storm on Saturday night. It blew almost a hurricane. The house stands high, . . . much exposed, and I am certain that in the second story, where I slept, it rocked like a

cradle." His host "never appeared before so friendly and amiable. I was alone, and he treated me with a minute attention that I did not suppose he knew how to bestow. . . . His daughter, who is nineteen years old, has a very uncommon simplicity . . . of deportment, and he appeared in his domestic state the plain, modest, and affectionate father and husband."⁶²

The most memorable law case of Hamilton, because of its public bearing, came at the end of his career. This was the defense of Harry Croswell, February, 1804, against a charge of libeling Thomas Jefferson, President of the United States. Croswell was editor of a little newspaper, the *Wasp*,⁶³ at Hudson, New York, in which he reprinted, with additions of his own, some tart comments on Jefferson by John Holt in the *Evening Post*. "Holt says the burden of the Federal Song is that Jefferson paid Callender for calling Washington a traitor, a robber, a perjurer; for calling Adams a hoary-headed incendiary and for most grossly slandering the private characters of men he well knew were virtuous. These charges not a democratic Editor . . . ever will dare to meet in an open and manly discussion."⁶⁴

Croswell was indicted at the general sessions of the peace of Columbia County; the case was removed by certiorari into the Supreme Court of New York in the January term, 1803, and the issue of traverse was tried at the Columbia circuit in July by Chief Justice Morgan Lewis. The indictment averred that Croswell, printer, "being a malicious and seditious man, of a depraved mind, and wicked and diabolical disposition; and also deceitfully, wickedly, and maliciously devising, contriving, and intending Thomas Jefferson, Esq., President of the United States of America, to detract from, scandalize, traduce, vilify, and to represent him, the said Thomas Jefferson, as unworthy of the confidence, respect, and attachment of the people of the said United States," and to withdraw from him the obedience of the citizens of New York and seditiously disturb the public tranquillity, to the evil example of all others in like case offending."⁶⁵

Croswell tried in vain to have his trial put off until James Thompson Callender could be called as a witness to prove the truth of Croswell's charge. This was that ". . . the said . . . Callender was the writer of a certain pamphlet, called the 'Prospect before us'

. . . [Richmond, Va.] That Thomas Jefferson, Esquire, president of the United States, well knowing the contents of said publication . . . paid or caused to be paid, to the said . . . Callender, the two several sums of fifty dollars, one of which was paid prior to the publication of the . . . pamphlet, for the purpose of aiding and assisting him . . . in the publication . . . and the other subject to the publication, as a reward, thereby shewing his, the said . . . Jefferson's approbation thereof."⁶⁶

Croswell was convicted, and the case came into the Supreme Court of New York on a motion "for a new Trial on the Ground of a Misdirection of the Judge. The motion was principally founded upon the two following objections. 1. That the ch. J. charged the Jury that it was not their Province to . . . decide on the Intent of the Def^t, or whether the Publication was libellous or not. That those were questions of law to be decided exclusively by the court upon the return of the [grand jury]; and that the only Points for their consideration were, first, whether the Def^t published the Paper stated in the Indictment, & secondly whether the innuendoes were true [i.e., whether Croswell made these innuendoes], & that if they were satisfied of those two Points, it was their Duty to find the Def^t guilty. 2. That he denied to the Def^t the opportunity of producing Testimony to prove the Truth of the libel, on the Ground that the Def^t could not be permitted to give [in] the evidence to the Jury, the Truth of the charges contained in the Libel."⁶⁷

Hamilton had reason to respond to Croswell's appeal to defend him in the trial of Claverack.⁶⁸ Holt's piece which, reprinted, brought the Federalist editor at Hudson into the toils, had first appeared in the *Evening Post* which Hamilton patronized. Callender, who was represented as Jefferson's hireling to traduce leading Federalists, had published insinuations against Hamilton's conduct in the Treasury which led to the latter's embarrassing public confession of the lesser sin of a liaison with Mrs. Reynolds. Hamilton more than most of his party had been the target of unprincipled attacks by Republican editors, and in 1799 had been plaintiff in a suit against the New York *Argus* which resulted in brief imprisonment of the foreman, Frothingham, for a piece declaring that Hamilton had tried to suppress Duane's *Aurora*.⁶⁹ However, he was obliged to decline from demands of other business; we may be

sure, from the sequel, that Croswell's inability to furnish a fee did not figure. It was as well that Hamilton's effort was reserved for Croswell's appeal, before the Court of Errors at Albany, in February 1804. There he argued before a full bench—Chief Justice Morgan Lewis again, and Justices Brockholt Livingston, Smith Thompson, and James Kent. Associated with Hamilton for the defense were his old friend Richard Harison and Wm. W. Van Ness. For the people was the Attorney General of New York, Ambrose Spencer, and [George] Caines.

We have Hamilton's long concluding speech in several versions.⁷⁰ Judge Kent, though a strong partisan, described the performance with knowledge and discernment, political as well as legal. Hamilton "had bestowed unusual attention on the case, and he came prepared to discuss the points of law with a perfect mastery of the subject. . . . He was, at times, highly impassioned and pathetic. His whole soul was enlisted in the cause. The aspect of the times was portentous, and he was persuaded that if he could overthrow the high-toned doctrine of the judge [Lewis] it would be a great gain to the liberties of this country. . . . He never before, in my hearing, made an effort in which he commanded higher reverence for his principles, nor equal admiration for the power . . . of his eloquence."⁷¹ We may recall in this connection words of Ambrose Spencer, his antagonist in this case, after Hamilton's death. "I was in situations often to observe and study him. I saw him at the bar and at home. He argued cases before me while I sat as judge on the Bench. Webster has done the same. In power of reasoning, Hamilton was the equal of Webster; and more than this can be said of no man. In creative power Hamilton was infinitely Webster's superior."⁷² In this instance, defending freedom of the press, he recalls Andrew Hamilton who performed a similar service in the case of John Peter Zenger, and Lord Erskine who pleaded that Paine's *Rights of Man* was not sedition.

Alexander Hamilton's persuasiveness in Croswell's appeal for a new trial consisted in more than moving allusions to the contemporary scene, as in praise of Washington and condemnation of unchecked faction as "the Pestilence that destroys" republics. His citation of precedents, Roman and British, was incidental to developing the history of the law and of government as they involved civil rights. It was an exposition of principles, not a recital of

debaters' points. He often conceded the ostensible application of authorities relied on by his opponents, only to nullify them as Star Chamber proceedings.⁷³

His theme was that "The liberty of the press consists in the right to publish with impunity truth, with good motives, for justifiable ends, though reflecting on government, magistracy, or individuals." The allowance of this right is essential to preservation of free government. In guarding against abuse, the jury must not be confined to the mere question of publication and application of opprobrious terms (as Judge Lewis, relying on Lord Mansfield, had held). The jury must be allowed to pronounce upon "the construction, tendency, and intent of the alleged libel. . . ." Otherwise the bench could make any writing a libel. ". . . the intent . . . or *quo animo*, is an inference of fact to be drawn by the jury." This is because a libel is not susceptible of statutory definition or judicial precedent that would limit fact, as found by the jury, to a pat recognition. Guilt or innocence depends upon circumstance and motive. These are comprehended in the fact which falls in the province of the jury. Then "in determining the character of a libel, the truth or falsehood is in the nature of things a material ingredient. . . ." This is not to say that the truth always excuses, for it may be told for evil purpose.

Further, "in criminal cases the law and fact being always blended, the jury, for reasons of a political and peculiar nature, for the security of life and liberty, is intrusted with the power of deciding both law and fact." The jury is not rashly to disregard advice of the court in matters of law, but must not follow it "if exercising their judgments with discretion and honesty they have a clear conviction that the charge of the court is wrong."⁷⁴

The crime of libel being in the intent, if what is alleged is the truth that "is a reason to infer that there was no design to injure another." Falsity was considered by the common law evidence of libel. Hamilton strengthened his argument, lifted it into the sphere where the attorney is truly an officer of the court by refusing to deal in dogma. ". . . whether the truth be a justification will depend on the motives with which it was published." If one "uses the weapon of truth wantonly; if for the purpose of disturbing the peace of families; if for relating that which does not appertain to official conduct, so far . . . the doctrine of our opponents is cor-

rect." But it was error to contend that the truth cannot be material in any respect; always "the truth may be given in evidence."⁷⁵

Nor could it be said that measures could be impugned without holding up to blame the author or authors, so that in a free government those responsible for ill-doing might be removed from power. Otherwise a party, once in control, "may go on from step to step, and, in spite of canvassing their measures, fix themselves firmly in their seats, especially as they are never to be reproached for what they have done." A free, not a licentious, press was the check on tyranny.⁷⁶ "To watch the progress of such endeavors is the office of a free press—to give us early alarm, and put us on our guard against the encroachments of power. This . . . is a right . . . for which, instead of yielding it up, we ought rather to spill our blood." He referred with admiration to a pronouncement of Chief Justice Jay, and with contempt to the "little, miserable conduct of the [colonial] judge in Zenger's case. . . ." Even in our sedition law, in which he found reason, "not only the intent but the truth may be submitted to the jury . . . in a justificatory manner . . . on common-law principles."

He ended with a noble warning: "Never can tyranny be introduced into this country by arms; these can never get rid of a popular spirit of inquiry; the only way to crush it down is by a servile tribunal. It is only by the abuse of the forms of justice that we can be enslaved. . . . It is not [by a few thousand of miserable . . . military] that the liberty of this country is to be destroyed. It is to be subverted only by a pretence of adhering to the forms of law, and yet by breaking down the substance of our liberties; by devoting a wretched but honest man as the victim of a nominal trial."⁷⁷

As frequently happens, Hamilton's fervent plea met immediate disappointment but later triumph. In Kent's words, "the ch. J. & Judge Livingston were against the Motion. Judge Thompson & myself for it." Livingston later joined Thompson and Kent in favor, but changed back. On the last day of the May term Chief Justice Lewis announced that the court was equally divided, so the motion had failed. The prosecutor was entitled to move for judgment, but no such motion was made. "The Court did not assign the reasons of their opinion, tho the ch. J. observed they had elaborately prepared them. . . . The Court then ordered the

new Recog[nizance] of the Def^t to be cancelled & he was left at large. I ought to observe that Judge Livingston wrote no opinion [did not attend court the day the decision was announced, wrote a line to say he was sick] nor never asked to see mine, nor did he see it, tho I produced it & offered it for Perusal, & the Ch. J. & Judge Thompson each read parts of it. . . ."⁷⁸

As Chief Justice Lewis foresaw, the public was aroused, and the legislature corrected the outworn dictum of the Supreme Court. On the last day of the session, April, 1804, a bill entitled "An act relative to libels" was delivered to the council of revision, which returned it to the next session of the legislature with strained objections. February 12, 1805, these objections were overruled by a large majority in the Assembly and W. W. Van Ness, now in that body, introduced a bill which was passed unanimously by both houses and became law April 6, 1805. In consequence of this declaratory statute the court at August term, 1805, no motion having been made for judgment on the verdict, unanimously awarded a new trial. The state constitution of 1821 (Art. 7, Sec. 8) provided "Every citizen may freely speak, write, and publish his sentiments on all subjects, being responsible for the abuse of that right; and no law shall be passed to abridge or restrain the liberty of speech, or of the press. In all criminal prosecutions or indictments for libels, the truth may be given in evidence to the jury; and if it shall appear to the jury, that the matter charged as libellous is true, and was published with good motives, and for justifiable ends, the party shall be acquitted; and the jury shall have the right to determine the law and the fact." Other states before and after adopted similar provisions,⁷⁹ and Hamilton's position, eventually successful, has been taken as settling the law of libel in this country.

The mythology of Hamilton's life would be a little study in itself. Nor is recounting false reports without point, for vestiges of them remained many years afterward to give a skewed picture of the man. Every sharp political contest was likely to hatch or revive a fanciful tale to his discredit. A favorite one was that he wished to make our government a monarchy on the British model. Early in 1804 these whisperings came to his ears with detail supplied. When he was at Albany on the Croswell case James Kane of that

place said he had it from Judge Ebenezer Purdy "That some time in the year '98 a negociation was opened between Gen^l Hamilton[,] M^r Adams and the King of England, for the purpose of introducing monarchy into this Country, at the Head of which was to be placed one of the Royal Family. . . ." Purdy's informant, unnamed, would make affidavit to this, but Governor Clinton would also testify to the truth of it. Hamilton took Kane to Purdy, who modified the story to omit Adams and move the incident back previous to the Constitutional Convention.⁸⁰ Two days later Hamilton, with Nathaniel Pendleton, returned to Purdy; he could not give the identity of his informant without permission, but vouchsafed that he lived in Westchester County. The proposal to make one of the sons of George III King of America came from England. This project was embodied in a letter from the eastward which has seen in Hamilton's office, whence several copies were given out. Governor Clinton had a copy. Hamilton branded this a slander he was determined to trace; he would inquire of Clinton and expected Purdy to reveal his source.⁸¹

Clinton, pressed for his part in the affair, said he had seen such a letter about the time of the convention; he had his copy from General Malcolm, who received it from Connecticut.⁸² Hamilton then wished Clinton explicitly to say he had never attributed any part in the scheme to him. If Clinton had the letter, might Hamilton borrow it and take a copy?⁸³ Clinton replied that he agreed with Hamilton the charge was "odious and disreputable." He had not been able to find the copy of the letter, but its import was that the prince, Bishop of Osnaburgh, was to be invited over as king. Canada and a portion of the British navy were to be given to the United States, and a perpetual treaty, offensive and defensive was to be entered into. The Lords were to be composed partly of British nobility, partly of Americans who had promoted the measure.⁸⁴

Hamilton thanked Clinton for giving no countenance to the story that Hamilton was implicated. He still wanted the letter furnished by Malcolm so as to dispel "unjust suspicions, to the prejudice of a number of individuals, every way worthy of public confidence, who have always faithfully supported the existing institutions of the country, and who would disdain to be concerned in an intrigue with any foreign power . . . either for introducing

monarchy, or for promoting . . . any other scheme of government within the United States.”⁸⁵

A few have been fond of saying that Hamilton was not an American.⁸⁶ It is difficult to know what is meant because the character of American is not set forth. Perhaps the idea commenced with the fact that he was not born on the continent; of course his birth place in the British West Indies, discovered and named by Columbus, was American before the mainland was known. It is meant that Hamilton was not a United States man. A paragraph of his is quoted to illustrate his alien nature: “Mine is an odd destiny. Perhaps no man in the U States has sacrificed or done more for the present Constitution than myself—and contrary to all my anticipations of its fate . . . from the very beginning. I am still labouring to prop the frail and worthless fabric. Yet I have the murmurs of its friends no less than the curses of its foes for my reward. What can I do better than withdraw from the Scene? Every day proves to me more and more that this American world was not made for me.”⁸⁷

This sounds as though he passed the judgment on himself. But the confession is noticed without awareness of circumstances, is cited without reference to other passages in this letter and the whole import of others that preceded and followed, and is taken out of context of his whole life. These words were written to a confidential friend in reply to a remonstrance that Hamilton had injured himself with Federalists. This was by opposing a petition of the New York bar to Congress to undo Jefferson’s mischief in the judiciary system. This was a gentle but earnest rebuke by a fellow Federalist leader.⁸⁸ This was only the immediate provocation. Hamilton was suffering a momentary slump of spirits, the expected result of the recent tragic death of his eldest son.⁸⁹ He had been working furiously on professional cases and civic calls, and could not remain constantly at concert pitch. More than all, the national government he had a chief hand in building had been captured and he feared was being revoked by the Republicans. Their methods seemed to him illicit, their management of the people disingenuous. Within the administration the Vice President, Burr, he believed, was maneuvering to make himself President two years hence by seducing Federalist support. In this mood Hamilton

ended his letter, "You, friend Morris, are by birth a native of this country, but by *genius* an exotic. You mistake, if you fancy that you are more of a favorite than myself, or that you are in any sort upon a theatre suited to you."

But in less than a week he had plucked up his resolve in the service of the public. He immediately alerted Morris who had succeeded Schuyler in the Senate to give his force and rally others to proposals of the New York legislature for important amendments to the Constitution. These were to designate separately the candidates for President and Vice President, and to have the electors chosen by the people in districts under direction of the national legislature. Hamilton declared himself, after mature reflection, "thoroughly confirmed in my full impression, that it is true federal policy to promote the adoption of these amendments" (both of which in fact succeeded). He favored distinguishing candidates for the two chief offices because "the people should know whom they are choosing," and because the existing mode of casting the die by mere plurality of votes gave scope to intrigue and endangered public tranquillity, as the recent long-equivocal contest between Jefferson and Burr had illustrated. He wanted popular choice of electors in districts "because it removes thus far the intervention of the State governments, . . . strengthens the connection between the federal head and the people, and . . . diminishes the means of party combination" which invited Burr's intrigue.

In both reforms, be it noted, Hamilton was soliciting more power for the people to control their national government. Taught by sad experience of past Federalist neglect, cultivation of popular support for party policies had become a theme with him. As always, he sought to subdue interposition of the states in matters national.

He went on to allude to the latest evidence of Burr's design to enlist Federalist backing for his ambition for the Presidency. At the recent Federalist dinner honoring Washington's birthday, he was told, "a strange *apparition*, which was taken for the Vice-President, appeared among you, and toasted 'the union of all honest men.'" Obviously Hamilton had not been consulted on the invitation, but warned that while Burr might possibly be used by the Federalists, "as a chief, he will disgrace and destroy the party." He suspected that the folly of many Federalists, eager to regain

the reins, would lead them to adopt Burr as their candidate in the next election. He delivered his low estimate of Burr which he had held for a dozen years and would never relinquish. "I know of no important character, who has a less *founded* interest. . . . His talents may do well enough for a particular plot, but they are ill suited to a great and wise drama."⁹⁰

Hamilton was back in stride now, and soon repeated and reinforced his pleas to Morris. He praised his friend's temporary efforts "in resisting the follies of an infatuated administration," but "there must be a systematic and persevering endeavor to establish the fortune of a great empire on foundations much firmer than have yet been devised." (Forgotten was his sudden earlier desire to erase himself from the scene of "this American world . . . not made for me.") The "structure of our national edifice" must be fitted "to control eccentric passions and . . . to keep in check demagogues and knaves in the disguise of patriots." Burr's intrigues called Hamilton to fresh combat. Federalists' eagerness to recover lost power must not "betray us into expedients which will be injurious to the country, and disgraceful and ruinous to ourselves." Federalists must not link with "a man who can never be any thing else than the bane of a good cause. I dread more from this," he declared, as before and afterward, "than from all the contrivances of the bloated . . . junto of Virginia."

He repeated that, to avoid cabal in which Burr was adept, indiscriminate voting must end, and "it has *ever* appeared to me as sound principle to let the federal government rest, as much as possible, *on the shoulders of the people*, and as little as possible on . . . the State legislatures."⁹¹

Hamilton had gone over old ground with Bayard, to whom he had successfully appealed two years earlier to block any bargain of Federalists with Burr for the Presidency; this would be, as he told Morris, "the worst kind of political suicide." But the Delaware congressman was hard to teach. Federalist overtures to Burr, Bayard assured, were cunningly designed to excite Jefferson's jealousy and weaken his party; Federalists would stand firm to their principles, and begged Hamilton's continuing guidance.⁹²

He gave this promptly. Federalists had relied on the rectitude and utility of their measures, neglecting "the cultivation of popular

favor." Unhappily, in party competition they must concede something to the passions of men. Their opponents, eulogizing reason, in fact were flattering the people's vanity, and forced the Federalists also to go a length in corrupting public opinion. Political practicality demanded this departure from principle. But Hamilton indulged this temptation reluctantly, for, said he, "unless we can contrive to take hold of, and carry along with us some strong feelings of the mind, we shall in vain calculate upon any . . . durable results. . . . the present Constitution is the standard to which we are to cling. Under its banners, *bona fide*, must we combat our political foes, rejecting all changes but through the channel itself provides for amendments."

If Hamilton's estimate was just (as certainly it was sincere), who was the democrat? Was it better service to the people to engage their wits, or to trick their confidence? All is matter of degree, and the very words with which we attempt to define a policy obscure it. This much is sure, that Hamilton was never contemptuous of the people, much less was willing to abuse their sovereignty. He sought to enlist their wisdom, not their caprice. In the first years of the nation, when control was committed to the Federalists, vexed questions of popular participation were in abeyance. The problem was one of competent construction, not of grass-roots consultation. The demand was technical rather than, in the broad sense, political. In this decade the Federalists flourished because they accomplished their mission. Always there was opposition, but it was diffused and could be dissuaded or dispelled by the imperative of events. Given time, the Federalists might have referred more decisions to citizens in the mass. But this orderly transfer, as Federalists saw it, was not to be. Jefferson and his friends, while losing battles, won the war. The Federalists had worked themselves out of a job. Washington had withdrawn. Adams, though inviting dissent in his own party, composed differences with France. This was a double service to the Democrats, who suddenly took over. Hence, two years later, Hamilton's reflections on how to win popular support which previously had been accorded without serious question.

He offered to Bayard his plan for "The Christian Constitutional Society," which, as the name proclaimed, should honor religion and the fundamental law. Hamilton was returning to his early sacred

beliefs, from which his attention had long been distracted by the public tasks he had in hand.⁹³ Perhaps this was a refuge from political disappointment; in any event his alarm at infidelity was insistent from this period to the end of his life. His was not the last project in American history coupling soul with social salvation.

The society was to be organized nationally, in states, and throughout localities. Members' dues were to be used for free distribution of newspapers and pamphlets and to promote aid to immigrants and academies for mechanics. The opposing party had made headway in the cities which Federalists must contrive to counter. Of course, Federalists must be constantly organized for election of fit men. By eligible means they should strive to restore the judiciary law.⁹⁴

Hamilton's ardent wish to prop the Constitution and his machinery for doing it were politely dismissed by Bayard in Congress. Federalist clubs would invite the attacks recently visited on Democratic counterparts. Federalists could play a passive role, having not long to wait before the folly of antagonists returned good men to authority. Damage to the judiciary system could not for the nonce be undone.⁹⁵

No sooner had he pondered this than Hamilton expressed his dissent to complacent waiting for wrong-headed Democrats to discredit themselves and yield to restoration of Federalists. Rufus King, minded to quit his ministry in London, should come home for the greater good he could do here.⁹⁶ Hamilton saw no disillusionment "of opinion in the mass." If the party in power was threatened it was because of the incurable rivalry of Jefferson and Burr. He was ashamed to inform that Federalists in Congress were "polluting themselves with . . . support of the second personage for the Presidency." Hamilton would never be implicated in Burr's elevation or, for that matter, in approving Jefferson.⁹⁷

We could go on to show how, week to week, so far from despairing of American politics, Hamilton exerted himself, against many in his own party, to bolster the Constitution. "Vibrations of power," he reminded King, "are of the genius of our government." Out of office, Federalists must work with long-range purpose to recapture public confidence. Hamilton not American? His promptings and tactics were those we are accustomed to regarding as regular and admirable.⁹⁸

In political controversy Hamilton's strictures, sometimes personal, oftener dealt with policy. In this he differed from many who assailed him with slander more than sense. His effort was to convince of his views, not to lay about him in a brawl. Further, he had matters to recite, arguments to develop, and could not spare words for vituperation.

In official correspondence he might remonstrate or chide if sorely provoked. When Hamilton was inspector general a lieutenant laid a disappointment to the Secretary of War, and threatened retaliation. Hamilton answered his letter and wrote separately to "regret the intimation with which it closed. . . . in no sense can the affair be viewed as a personal injury, or be proper for the manifestations of personal resentment. . . . Any one who should give you a different opinion, can hardly be your friend. Such an opinion if followed could be productive of no possible advantage and would be attended in various ways with great inconvenience to you." The young man took the warning in good part.⁹⁹

One of the most importunate applicants for public office, besieging Hamilton with entreaties, was Caleb Gibbs. He had been captain of Washington's bodyguard during the Revolution, but the intimacy and trust thus engendered could not benefit a New Englander who did not enjoy the esteem of leading Federalists of that section. When the additional regiments were raising, Gibbs begged of Hamilton any military appointment "worth my acceptance."¹⁰⁰ When omitted, he complained to Hamilton in a "very improper letter."¹⁰¹ Stung by Gibbs' obtuse ingratitude, Hamilton explained, "This is not the first instance . . . in which good offices on my part have met with an ill return." When Gibbs was informed that Washington, Pinckney, and Hamilton had proposed him for lieutenant colonel commanding one of the twelve regiments, he should have known their cordial wishes. It was "unbecoming to interrogate me in a peremptory and even sensorious manner about the causes which may have *induced the President* to reject the nomination." Afterward Hamilton learned confidentially Adams' objection, but "It is . . . certain . . . you never . . . will have an explanation from me. . . . If any one has wickedly endeavoured to make you believe that there has been any thing uncandid or unfriendly in my conduct, you ought to despise . . . such an attempt to impose on your understanding. If you

have inferred it from the reserve in my mode of writing to you on the subject, you formed as false an estimate of what the delicacy of my situation required, as you did of my true character."¹⁰²

Nearly all of Hamilton's letters were written with his own hand. Where he jotted down a few directions for a simple letter to be composed by a clerk or aide he reviewed the draft. Many of the changes in his autograph softened a flinty phrase or inserted words of politeness. His habitually courteous manner and considerate nature are conspicuous where his unmistakable script amends the wording of his amanuensis.

Throughout his life, but particularly in later years when he was universally known and many of his early acquaintances had fallen on evil days, Hamilton responded to appeals of Revolutionary characters or their families. Usually they begged him to forward their hopes of pensions, other relief, or employment. His service to Baron Steuben was most painstaking and complete.¹⁰³ He frequently referred these applications to the highest quarters, and always with feeling, but not in a way to embarrass the one addressed. It is impossible to mention more than a few instances of his graceful assistance. Three coming within a few days in 1796 are illustrative. He introduced to McHenry, Secretary of War, the widow of "Mr DeNeuville of Holland[,] a Gentleman who embarked . . . zealously and . . . early in the cause of this country, was instrumental in promoting it and as I understand an object of persecution in consequence . . . , which was a link in the chain of his pecuniary ruin. I think his widow has a strong claim upon the kindness of our country as far as general considerations will admit relief, and she has a particular claim upon everybody's good will, that of being a distressed & amiable woman. I ask for her your patronage & good offices[.]"¹⁰⁴ Yielding to her importunities, he wrote similarly to Washington, in spite of the President's known reluctance to intervene for even the worthiest applicants.¹⁰⁵ The same day, at the request of Dr. Bollman, he solicited the President's attention to his wish for modest government employment. Bollman, a German, speaking several languages, almost succeeded in the attempt, with Mr. Huger of South Carolina, to rescue Lafayette. He brought handsome letters from Mr. and Mrs. Church, who "had a chief agency in promoting his undertaking."¹⁰⁶ Within the week he penned a certificate, signed with John Lamb, Peter

Curtenius, Hercules Mulligan, and Anthony Bleecker, in behalf of the heirs of the late Captain John Hanson. As evidence of Hanson's attachment "to the cause of the Revolution and to the liberties of this Country," they recalled as eyewitnesses his bravery in helping to remove cannon from the battery "on a certain evening in the year MDCCLXXVI . . . under the fire of a British Man of War. . . ."¹⁰⁷

Fatal Meeting

LONG after the event, when Hamilton was a quarter-century dead, his name was connected with a project of disunion. It was hatched by New England Federalists of the "Essex Junto" and was to embrace, besides their own states, New York, New Jersey, and perhaps Pennsylvania. The time was 1804, and the disgruntlement was laid to the expectation of increasing domination of the Union by the Democrats. The Louisiana Purchase portended new states with slave representation to overwhelm citizens of the North. French sympathies were ensconced above the British. The recollections of old men who revived this scandal make a whispering gallery where conjecture is mixed with fact, and prejudice colors narrative. Above all, in these accounts many or most of the alleged actors in the scene are missing and cannot answer.¹

The principal peg by which this story hangs is a letter of William Plumer to John Quincy Adams, December 20, 1828. Plumer had been in the Senate with Adams in 1803-1804, was later several times governor of New Hampshire, left Federalism for the Democrats, and at the time of his reminiscences had retired to his native town of Epping. In free talks with Samuel Hunt of his own state and with Roger Griswold and Uriah Tracy of Connecticut, Plumer learned of a plan to hold the next autumn, in Boston, "a select meeting of the leading Federalists in New England, to . . . recommend . . . a system of government for the Northern States; and that Alexander Hamilton of New York had consented to attend that meeting." It was Tracy who informed Plumer about Hamil-

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ton. "I do not recollect that he said Hamilton was in favor of the measure; but I know he said Hamilton had consented to attend." Plumer would be invited. Later Tracy explained that the meeting was not held because Hamilton died, but the plan of separation was not abandoned.² Plumer in 1803-1804 wanted a separate government for New England, but recanted and opposed the project when it was revived in 1808-1809 (when this section was irked by the embargo), and in 1812 when war made dissent more emphatic. This deposition of Plumer confirmed the memory of Adams who sanctioned a disclosure of the plot in the *National Intelligencer*.³ "Certain leaders" of the Federalist party in Massachusetts in early years of the century aimed at "a dissolution of the Union, and the establishment of a separate confederation." This Adams knew "from unequivocal evidence."

Promptly a group of thirteen, headed by Harrison Gray Otis and including sons of George Cabot and of Samuel Dexter, challenged Adams' charge. They and their fathers had never been guilty of such a purpose. The Hartford Convention of 1814 was of public record, but Adams' effort to derive it from an earlier defection was "in the last degree violent and disingenuous." Adams had inherited his father's "deep and bitter resentment against *Hamilton*, and . . . 'leaders' of the federal party, supposed to be Hamilton's friends."⁴ J. Q. Adams in reply reminded that he had acquitted the body of Federalists of so much as a suspicion of what their leaders designed. However, he knew the latter felt it their duty to sponsor a secession of New England (perhaps other Northern) states, since the Louisiana territory was acquired without authority of the Constitution; this act formed a new confederacy to which the old states were not bound to adhere. "This plan was so far matured that the proposals had been made to an individual [*Hamilton*] to permit himself, at the proper time, to be placed at the head of the military movements which, it was foreseen, would be necessary for carrying it into execution. In all this there was no overt act of treason."⁵

Adams called up conversations to support his indictment. On his way from Congress to Quincy in the spring of 1804 he stopped in New York and frequently visited Rufus King, then just returned from his first mission to England. The evening of April 8 he found Timothy Pickering just leaving. King said Pickering had

been talking of "a project they have for a separation of the States and a Northern confederacy, and he has also been this day talking of it with General Hamilton." King added that he entirely disapproved of the scheme "and so, I am happy to tell you, does General Hamilton."⁶

Adams, in 1828 seeking confirmation from Plumer of his charges of a project of "disunion and a Northern Confederacy," was more specific on cardinal features. His principal informant had been Tracy, who disapproved the enterprise "but was . . . made acquainted with it in all its particulars." The proposed separation had alternatives of boundary; "the . . . confederacy was to extend if it should be found practicable, so as to include Maryland. This was the *maximum*. The Hudson, that is New-England with part of New-York was the minimum. The Susquehanna, or Pennsylvania, was the middle term. The intention was . . . to withdraw from the Union peaceably if they could, but they had not been unmindful of the other alternative—violently if they must." He learned in New York, after adjournment of Congress in April, 1804, "that the proposal had been made to General Hamilton, to be the Joshua of the chosen people; and I was told that he disapproved the plan, but it cost him his life." Adams pointed Plumer to Hamilton's "reasons for going out to meet Col^o Burr, even to the stifling of the cry of his conscience, against the practice of dueling," as left for his executors and published after his death. Adams reminded Plumer how Hamilton "closed the paper with these memorable words[,] 'The ability to be in future useful, whether in resisting mischiefs or effecting good, *in those crises of our public affairs, which seem likely to happen*, [italics by Adams] would probably be inseparable, from a conformity with public prejudice in this particular.'" And Adams continued, "This paper was wholly unintelligible to those who did not know that a civil War and the command of an army had been for years sporting with Hamilton's ambition. . . . It was indistinctly understood by those, who knowing this were yet not apprized of the distinct proposal which had been made to him the preceding spring. To me who had been made acquainted with both there was nothing mysterious in the paper." Adams had learned in New York of "the proposal made to Hamilton for the eventual employment of his military Talents."

The scheme of Northern separation, to be discussed by selected Federalists at a meeting in Boston in the autumn of 1804, was not immediately abandoned when Hamilton died, according to Plumer's information. Adams did not blame Plumer if at one time he inclined toward "the substitution of another and more compassable system of confederation." Adams confessed, "There were moments of weariness and disgust . . . at the errors and vices of Mr Jefferson's administration, when I almost despaired of the Union myself."⁷

John Quincy Adams considered that had Hamilton gone along with secession of Northern states he would have escaped Burr's bullet. Evidently his reasoning was that had Hamilton resented the Louisiana Purchase to the extent of repudiating Jefferson's administration, he would not have supported Morgan Lewis, the Democrat, for governor of New York against Aaron Burr, by then Jefferson's bitter enemy. Accordingly, Burr would not have, vindictively, challenged Hamilton to the fatal duel. However this may be, we have unmistakable testimony of William Coleman that Hamilton endorsed the Louisiana Purchase. His "opinion was, after repeated conversations with me, committed to writing, in my own phraseology, indeed, for the purpose of publication in the Evening Post, & so desirous was he of having his ideas, on this important measure of the government, expressed with the greatest precision . . . that, being informed of what time the proof sheet would be ready for inspection, he came to the office & . . . having with great deliberation carefully perused the whole, declared it contained the identical ideas he wished to express on the subject." Coleman went on to report a dinner-table conversation in which J. Q. Adams said principal Federalists "entertained an opinion that it would be conducive to the prosperity of New England to dissolve all political connexion with the southern states, . . . but that *he must do Hamilton the justice to say* [he] *did not coincide with them.*" Coleman could "state facts & circumstances not less . . . conclusive" of Hamilton's "settled & decisive opinion respecting anything that had the remotest tendency to the dissolution of the Union. . . ."⁸

The design for secession from the Union, in the hands of its excited champions, took a turn which Hamilton abominated. The scheme, fostered by Pickering and Griswold chiefly, was to elect

Aaron Burr governor of New York, make that state the center and Burr the head of the Northern confederacy. New York had a large Democratic majority, followers of George Clinton and loyal to the administration of Jefferson. A small number among the Democrats, however, resented the domination of Virginia in the nation and supremacy of the great families of Clinton and Livingston in state affairs. Burr, though he knew from three years' experience as his official associate that Jefferson hated him, made an effort, in January, 1804, to secure from the President a mark of favor that would allow him to retire with some credit and prevent a breach in Democratic ranks. Jefferson refused the overture, so Burr was prepared to split Democrats and Federalists in New York and, probably, beyond that to split the Union.

The notion that Hamilton would have lent himself in any fashion to the project of disunion is absurd. His whole life is a refutation of the idea. His every action and advocacy was premised upon national solidarity. Indeed, his preference for central sovereignty became the chief target of his critics and has since remained the hallmark of his political workmanship. Had he wished for the secession he must have overcome his repugnance to Burr and worked for his election as governor of New York as preliminary to erection of a Northern confederacy. Instead, he threw himself against Burr's ambition and died to satisfy his rival's revenge. Hamilton was a sacrifice to his national loyalty.

His services to the Revolution and Constitution, his Treasury policies, suppression of the Western rising, his part in Washington's Farewell Address with its plea for unity, his rejection of the Virginia and Kentucky resolutions, and approval of the Louisiana Purchase all speak the same language. His last political letter, the day before the duel, to Sedgwick of Massachusetts, concentrated all in "one sentiment, which is, that dismemberment of our empire will be a sacrifice of great positive advantages without any counterbalancing good. . . ."⁹ His devotion to the nation was the counterpart of his economic method, which was that of association, coordination. "Disorganizing" was with him an epithet of severest condemnation. The suggestion of some that Hamilton would lead military forces of a seceding section against loyal states carried surmise to the wildest extreme. As Madison accurately observed, had Hamilton attended the projected Boston meeting, it would

have been only to dissuade his Federalist friends from their desperate infatuation.¹⁰

Madison, in his reflections in later years always fair to Hamilton's memory, repelled the suggestion that his former friend would have been a party to severing the Union. In response to J. Q. Adams' pamphlet giving his correspondence with several citizens of Massachusetts, Madison thought the letter of Governor Plumer impressive, but it must be mistaken as to Hamilton. Of course, those planning a secession would covet the "leading agency of such a man," especially coming from New York. But Hamilton would not join them, or if he appeared at all it would be only "to dissuade . . . from a conspiracy as rash and wicked, and as ruinous to the party itself as to the country."

Hamilton was often called imperious and impatient, and sometimes the comment applied. But here at the end he was reconciled to waiting for Federalist principles to be vindicated by time and for the party to be recalled to national responsibility when those of contrary tenets had come to grief. Against that day, which might be distant, the fidelity of the Federalists must be preserved. Depletion of numbers, yes, but not compromise of integrity in order to share power with enemies. Hamilton could see his party lose, but he could not betray it. This devotion set him off from too many of his party colleagues. Pickering let hatred get the better of his discretion, and Tracy, Griswold, and others the same. After a decade even the wise George Cabot was to become, albeit reluctantly, chairman of the Hartford Convention. Rufus King remained faithful, immune to neglect. Fisher Ames died early, but political lessons of the future must have been cruel to make him depart from his chosen creed and conduct. And, if we may suppose a man yet a citizen and not a corpse, the same was inescapably true of Hamilton.

Governor Clinton having declined to stand for reelection, the majority of Democrats in New York nominated Chancellor John Lansing, Jr., for governor, with John Broome, senator from New York, for lieutenant governor. After accepting, Lansing unaccountably withdrew, and his party nominated Chief Justice Morgan Lewis and Broome.¹¹ Burr's friends at Albany, dissenting Democrats mostly, announced a caucus, February 18, to support

Burr for governor. Two days before, the Federalists met to decide their policy in this situation. Hamilton was in Albany on law business (the *Croswell* case) and begged his fellow Federalists to reject Burr and throw their strength to the regular Democratic candidate. What an enemy called "General Hamilton's harangue at the city-tavern"¹² was doubtless more vehement, though it could not have been franker, than monitions he had drawn up on paper beforehand when the contest was expected to be between Lansing and Burr. Hamilton's aim was to detach Federalists from Burr. If he followed his written outline in his caucus speech, he urged that Burr would continue to rely on the Democrats, especially since "the federalists are prostrate." In this he would succeed with the aid of some Federalists. Federalist favor in New York would further commend him in New England where he was already esteemed. He would disorganize New England and, trading on jealousy of Virginia's pretensions, would encourage the "opinion, that a dismemberment of the Union is expedient." Burr would "promote this result, to be the chief of the Northern portion; and placed at the head of the State of New-York, no man would be more likely to succeed." Burr, "of irregular and insatiable ambition," would debase democracy into dictatorship. Better for Federalists to support the Republican candidate, under whom his party, already divided, might break asunder and furnish opportunity for Federalists to return to power.¹³

Before this meeting at Albany, Hamilton had exerted himself for Lansing, and hoped Federalists might be weaned from Burr to whom they too zealously inclined. But the substitution of Lewis four days later¹⁴ "essentially varied the prospect." The best informed agreed that the body of Federalists could not be diverted from Burr to Lewis "by any efforts of leading characters" even if the latter favored the new Republican candidate.¹⁵ Thus Hamilton, still at Albany, wrote to Rufus King a few days after the shift.

The editor of the *New-York Evening Post* remarked on the number and contrariety of handbills tossed about the city.¹⁶ Specimens of these have been preserved and, even more than the newspapers, evidence how Burr's opponents meant to destroy him. The fliers accused him of everything from malpractice of the law (misuse of funds of which he was trustee) to a succession of

seductions.¹⁷ Most of these unflattering comments came from the "genuine" or "real" Republicans—pro-Jefferson men or, as we should say today, "regular" Republicans. The President declared that the "little band" which had defected to Burr had no countenance of the national administration.¹⁸

While Hamilton's strictures on Burr were severe, they did not exceed those of the majority Republicans, and were less personal. The writer of a handbill was revolted "at the terrible situation in which we should be placed, should this unprincipled man [in capitals] succeed in his wicked purposes." Practiced in "vile plots," Burr was "dishonest and fraudulent."¹⁹ Another called him "a man destitute of moral virtue, and bent solely on the gratification of his passions, regardless of the public good."²⁰ Again, the electors of New York were admonished, "if you . . . love the fair fame of your country, guard her from the fangs of *such an unprincipled being*—such a hydra in human form."²¹ A Federalist handbill of 1801 was reprinted as reminder to men now supporting "this Cataline." "Political perfidiousness" was the gentle introduction to "His abandoned profligacy," though "the numerous unhappy wretches who have fallen victims to this accomplished debaucher" would be known only to those familiar with the haunts of female prostitution. Followed then the initials of courtesans whom he had ruined and thrown on the town, "the prey of disease, of infamy and wretchedness." No sooner had he taken the oath as Vice President than he seduced the daughter of a Washington tradesman; he brought her to New York and maintained her in Partition Street (now Fulton between Broadway and West Street). "Sylphid" chided Aristides for defaming Jefferson "as a weak and Fickle visionary; . . . an idiot [*sic*], incompetent to preside over . . . a great nation," while Burr was "the disgraceful debauchee who permitted an infamous prostitute to insult and embitter the dying moments of his injured wife."²²

Burr, or less probably someone acting for him, rebutted the attack on his professional conduct in the administration of an estate beginning in 1797, and quoted an opinion (June 15, 1798) of Richard Harison, concurred in by Hamilton. This was that Burr did well to make no distribution until formally assured of kinship of claimants and absence of creditors.²³

Of course, these were anonymous attacks and could not draw

from Burr a challenge of any author. Their virulence, mingling with the disappointment of his defeat, perhaps helped produce his challenge to Hamilton whom he could identify.

The campaign gave the loose to virulent pamphlets so contradictory of each other that only their freedom of vituperation could have held the reader. A lengthy "Examination of . . . Charges Exhibited against Aaron Burr," by "Aristides" (later admitted to be Burr's fast friend William P. Van Ness), answered sallies by James Cheetham and in turn drew Cheetham's retort. As early as 1802 Cheetham, referred to as a Jefferson hireling, was damning both Burr and Hamilton in his "Narrative of the Suppression by Col. Burr of the History of the Administration of John Adams." Soon followed his "View of the Political Conduct of . . . Burr," in which this miscreant's "inveterate and incurable" defects appeared to "endanger the . . . freedom of the states." Next year came from the same fertile source "Nine Letters on . . . Burr's Political Defection." First "a coadjutor to General Hamilton," Burr soon attached himself to the Republicans because he saw no chance of preferment in Federalist ranks from the superior luster of his fellow New Yorker. "Your jealousy of General Hamilton afterward ripened into implacable hatred."²⁴ In 1800 Burr had negotiated with Federalists (David A. Ogden the agent) to sell his party for the Presidency. "You have always been the same intriguer—the same selfish mortal—the same aspiring genius."²⁵

Van Ness defended Burr all along the line. He was never a Federalist. His diligence and eloquence for the Republicans in 1800 won them the city, thus the state, and thus the Union.²⁶ By contrast George Clinton, now the foe of Burr, had called Jefferson "an accommodating trimmer" for personal purposes, and Van Ness gave names of hearers who would confirm this. He cited Burr's explicit denial that in 1800 he had "proposed or agreed to any terms with the federal party" in hopes of topping Jefferson in the election, and other evidence to the same purpose. In bolstering Burr, Van Ness found opportunity for a flank attack on Jefferson as a disappointment in executive office.²⁷

Hamilton feared that Burr would win the governorship over Lewis. The question arose whether a Federalist candidate should be run, with hope of success since the Democrats were split. The

logical candidate was King. He had been absent in England during the fiercest party heats, hostilities were not fixed on him, and, besides holding Federalists in line, he might in the end gain the support of the weaker Democratic faction.²⁸ But King was not taken with the unlikely prospect of a third candidate. Hamilton, not in speeches or letters, but undoubtedly in his influential personal contacts, urged Federalists to vote for Morgan Lewis, the regular or majority Republican nominee. In the election Burr carried New York City by a slim margin, but Lewis won in the state as a whole, 30,829 to 22,139.

Burr was bound to see that his political ambition was wrecked. He was repudiated by the party in national power. Now he had failed of the governorship of New York. This, had he gained it, might have proved more than a local consolation, for disaffected Federalists of New England might have joined to place him at the head of a secessionist Northern confederacy. In both contests, for the Presidency and the governorship, Hamilton had stood across his path. Hamilton had destroyed his hopes of the first, and, it was easy for Burr to believe, of the second also, which was all that remained. Burr's bitter disappointment rankled to personal revenge. Earlier he had repressed his resentment of what he must have known was Hamilton's too free language condemning him. Now his hatred boiled up in a challenge to his enemy to a duel.

The correspondence during nine days that led to the duel between Burr and Hamilton was at first directly between the principals and then through their seconds. Burr's opening letter, June 18, 1804, was brief, delivered by his friend William P. Van Ness with a newspaper statement signed Charles D. Cooper.²⁹ The latter, "though apparently published some time ago, has but very recently come to my knowledge," Burr wrote. Mr. Van Ness would point out the offending passage. Reporting a dinner conversation at the home of Judge John Tayler at Albany the previous winter, Dr. Cooper said, "General Hamilton and Judge Kent have declared in substance, that they looked upon Mr. Burr to be a dangerous man, and one who ought not to be trusted with the reins of government." The further remark of Cooper drew Burr's ire: "I could detail to you a still more despicable opinion which General Hamilton has expressed of Mr. Burr." Hamilton must perceive, said

Burr, "the necessity of a prompt and unqualified acknowledgment or denial of the use of any expression which would warrant the assertions of Dr. Cooper."³⁰

Hamilton, after two days' reflection, rejected Burr's demand as too vague, without specification of time, place, or person supposed to have been addressed. If Burr accepted the reported criticism ("dangerous man," and so on) as within the limits of political contest, why should he bristle at an alleged further comment, undefined, but thought "more despicable"? This would tax Hamilton with any irresponsible construction placed on his animadversions during many years. He stood ready to avow or disclaim at once "any precise . . . opinion which I may be charged with having declared of any Gentleman." (Here Hamilton was relying heavily on the faith of friends to keep the confidence of damning phrases he had repeatedly written, let alone spoken, to them.) He hoped Burr would forbear to press generalities, but he ended, in forecast, "If not, I can only regret the circumstance and must abide the consequences."³¹

Burr rejoined that Hamilton had only furnished him fresh reasons for requiring a definite reply. Hamilton must disavow Dr. Cooper's public application, in Hamilton's name, of a dishonorable epithet. Hamilton told Van Ness that this rude letter admitted of no answer except that Burr should take what steps he liked. Van Ness, later less judicious, cautioned Hamilton not to be precipitate. Hamilton consulted his friend Nathaniel Pendleton,³² to whom he referred Van Ness. He supplied Pendleton with a letter saying that if further explanations were to be made, Burr must offer them.

But Pendleton first tried conversations with Van Ness. If Burr would inquire what passed with Dr. Cooper, Hamilton was prepared to say that, to the best of his recollection, his remarks "turned wholly on political topics, and did not attribute to Col^o Burr, any instance of dishonorable conduct, nor relate to his private character. . . ." He would give a prompt yes or no answer on any other conversation Burr would specify.³³

Burr might have taken this as satisfaction, and rested the matter. But he would not be pinned down, and demanded, through Van Ness, whether Hamilton had ever set afloat rumors derogatory to Burr's honor. Since this was refused, Burr's friend had "a mes-

sage" to deliver when Hamilton's friend would receive it. Hamilton and Pendleton made a last effort. One charge Hamilton had circulated against Burr, but that had long since been explained between them. To hold him indefinitely responsible for ill opinions was to betray "nothing short of predetermined hostility." If this was the case, Van Ness could deliver his message.³⁴

Burr, speaking through Van Ness, called this "a sort of defiance." (Hamilton was damned if he didn't and damned if he did.) Knowing that the correspondence might become public, Burr denied "all motives of predetermined hostility." The verbal exchanges were getting them nowhere, so Van Ness issued Burr's "invitation," which was accepted, and Pendleton would communicate the necessary arrangements.

Hamilton, hastily informed, was not sure whether the seconds had committed them, and furnished Pendleton, June 28, with yet another letter calling on Burr to be specific and not insist on an "abstract inquiry" to which Hamilton would not submit. If rumors were the quest, even they had form and shape and might be particularized. Hamilton would avoid extremities "if it could be done with propriety." However, Van Ness would not receive this letter, holding that the meeting had been agreed to. Not to abandon clients with cases pending, Hamilton wished a short delay until the circuit court rose, and he would need a little time to settle his private affairs. The duel was set for the morning of July 11.³⁵

In this brief interval Hamilton was exceedingly engaged. Not the least remarkable feature of this and other duels was the concentration with which men could go about their daily business with possible death staring them in the face. Nothing perturbed, a week before the duel Hamilton called on William Short (who had been agent of the Treasury in negotiating the Dutch loans a decade before) "to request the pleasure of his company at a Family Dinner in the Country, on Saturday next three o'clock."³⁶ During and immediately after disposal of his suits, Hamilton made his will, penned for his executors a list of his liabilities, wrote farewell letters to his wife, left a grateful note for his friend Pendleton, and drew up an explanation of his conduct and motives in meeting Burr.

This last showed that from the time he received Burr's first

remonstrance he knew the duel was fated. The disavowal required by Burr "in a general and indefinite form, was out of my power . . . because it is not to be denied, that my animadversions on the political principles, character, and views of Col. Burr, have been extremely severe; and on different occasions, I, in common with many others, have made very unfavourable criticisms on . . . the private conduct of this gentleman." In proportion as his distrust of Burr had been energetically urged for what he believed the public good would be the difficulty of apology. These detractions, which lost nothing in the retelling, had doubtless come to Burr's ears. Hamilton could understand his resentment.³⁷

Hamilton's religious and moral principles deplored the practice of dueling. To shed a fellow creature's blood in a private combat forbidden by the laws was abhorrent to him. He had resolved to accept the extra hazard of reserving and throwing away his first fire, "and I *have thoughts* even of *reserving* my second fire—and thus giving a double opportunity to Col. Burr to pause and to reflect."

Love for his family and duty to his creditors plucked him back. He had all to risk and nothing to gain by the issue. Why then did he accept the challenge? ". . . I answer, that . . . all the considerations which constitute what men of the world denominate honour, imposed on me (as I thought) a . . . necessity not to decline the call. The ability to be in future useful, whether in resisting mischief or effecting good, in those crises of our public affairs which seem likely to happen, would probably be inseparable from a conformity with public prejudice in this particular."³⁸

He repeated this solemn decision in last letters to his wife, to be given her only if he fell in the duel. "If it had been possible for me to have avoided the interview, my love for you and my precious children would have been alone a decisive motive. But it was not possible, without sacrifices which would have rendered me unworthy of your esteem. I need not tell you of the pangs I feel from the idea of quitting you, and exposing you to the anguish I know you would feel. Nor could I dwell on the topic, lest it should unman me."³⁹ And again to Eliza, the very night before he met Burr: "The scruples of a Christian have determined me to expose my own life to any extent, rather than subject myself to the guilt of taking the life of another. This much increases my

hazards, and redoubles my pangs for you. But you had rather I should die innocent than live guilty."⁴⁰

We may reflect on Hamilton's reasoning, as many did after the event. He rejected the plea of Rufus King that he refuse to go to the field. Hamilton, King wrote, "with a mind the most capacious and discriminating that I ever knew, . . . had laid down for the government of himself certain rules upon the subject of Duels, the fallacy of which could not fail to be seen by any man of ordinary understanding; with these guides it is my deliberate opinion that he could not have avoided a meeting with Col. Burr, had he even declined the first challenge."⁴¹ The secret of the impending duel was so closely kept—his family at the Grange was entirely ignorant of it—that probably other intimate friends who would have tried to do so had no chance to interfere. It is true that Egbert Benson and John Jay had advance word of the duel from King, but not from Hamilton, and made no attempt to intervene. However, his trusted brother-in-law, Church, must have known, if it was his pistols which Pendleton borrowed for use in the encounter.⁴² But we can only guess at Church's advice if it was asked or offered.⁴³

Wolcott, who had no warning of the duel, left Hamilton's death-bed to write Mrs. Wolcott of "the derangement of intellect of a great mind, on a single point. . . ." Hamilton had "reasoned himself into a belief, that though the custom was in the highest degree *criminal*, yet there were peculiar reasons . . . for *him*, to expose *himself* to Col. Burr in *particular*." And again he lamented that "A man of the first endowments of mind, the most strict probity" could be so inconsistent as to comply "with a custom, which he deemed wholly immoral & indefensible, by which he had lost a darling son. . . ."⁴⁴

Dr. John M. Mason, among Hamilton's earliest patrons, reminded the members of the Cincinnati "that he fell a victim . . . to a custom which has no origin but superstition, no aliment but depravity, no reason but in madness. Alas! that he should thus expose his precious life. This was his error."⁴⁵

Hamilton, tender of his reputation, pursued certain private defamers, though not to the point of delivering a challenge. His exchanges with Nicholson and Monroe have been related. When Dr. Gordon made as a condition of his disclosure that Hamilton

would not fight his traducer, Hamilton replied that the precaution was unnecessary, for "we do not now live in the days of chivalry. . . . *The good sense of the present times has happily found out, that to prove your own innocence, or the malice of an accuser, the worst method you can take is to run him through the body or shoot him through the head.*"⁴⁶ In composing a quarrel (between Pierce and Auldjo) he remarked, "I can never consent to take up the character of a second in a duel till I have in vain tried that of mediator. Be content with *enough*, for *more* ought not to be expected."⁴⁷

However, he permitted his son Philip to meet Eacker; the fatal result revolted him against dueling, and must have been in his heart when, nevertheless, he himself accepted Burr's challenge. Protection of personal honor remained a motive with him. On principle—not pride, he told himself—he could not apologize for possible injuries to his adversary unless he learned that his censures were unfounded.

His other reason was less confused. To preserve his public influence he must bow to prevailing prejudice. He estimated that gentry and generality of the people alike would consider that he had damaged his prestige because he was suspected of cowardice. As he had incurred Burr's bitterness by inveterate antagonism to his public ambitions, so now, in the same national interest, he must meet the consequences.⁴⁸ Some have supposed that Hamilton, as chief of the Federalists, was scornful of public opinion, or at least that he was convinced he could estimate popular views without consulting them. Gifted in decision and leadership he was, but rarely did he fail to take into account the lethargy, misdirection, and unacquaintance of the body of the citizens. The plainest, saddest evidence of this is in the last act of his life. A believer in the capacity of the masses by their own power to save themselves—if that be the definition of a democrat—he was not. He was sure they wanted unselfish guidance, which in his day at least was truer to the fact. In any event this nondemocrat sacrificed himself to a popular foible.

In pronouncing on his action we must remember the anxieties of the time. Prominent were a recent change of administration, the disintegration of the party which had been ever firm for the Constitution, and in Europe wild theories of government rampant

in arms. This country was disturbed—torn, men said—by factions, one of them suspected of ominous attraction to overseas dementia. America was divided politically, might be so geographically. Certain disgusted New England Federalists threatened separation. We had recently emerged from the imminence of war, yet stood in its shadow. Hamilton had been chosen to organize the nation's military defense; though the emergency had been got over, he did not know when it might be renewed. These domestic and foreign tensions played on his decision to risk his life rather than the confidence in which he was held.

After the duel was appointed Hamilton preserved his outward composure as he went about his affairs, unless indeed his notable gaiety on two occasions was symptom of the strain he was under. At the meeting of the Society of the Cincinnati, of which Hamilton was president, the evening of July 4th, he saluted the company with a song, while Burr is said to have looked fixedly at him.⁴⁹ Wolcott mentioned that Hamilton spent the afternoon and evening of Monday, July 9, at Wolcott's house in a circle of friends that included Joseph Hopkinson of Philadelphia. "He was uncommonly cheerful and gay. The duel had been determined on for ten days."⁵⁰

Probably Hamilton spent the night before the duel (Tuesday, July 10) at his house in town, 54 Cedar Street. He had likely spent the weekend with his whole family at the Grange, but returned to the city Monday morning; he made his will that day, the witnesses city men, and as he was at Wolcott's that evening, it would have been late to drive nine miles to Harlem. We know from Mrs. Hamilton that regularly she remained at the Grange with the younger children, while Hamilton during the week was on Cedar Street with the older ones.⁵¹ He would hardly have returned to the Grange, for he was to "leave town" for the dueling ground "about five o'clock" the next morning.⁵² The "place agreed on" was Weehawken, New Jersey, on the west bank of the Hudson directly opposite the end of Forty-second Street, New York. Hamilton went in a "barge" (apparently it had a sail) with his second, Pendleton, and Dr. David Hosack, the surgeon mutually selected, perhaps from the foot of Horatio Street, Greenwich, then separate from the city.⁵³ This made a passage of nearly three miles, and they arrived shortly before seven o'clock, finding

Burr and Van Ness had already cleared away underbrush "so as to make a fair opening." The duel spot, often used at that day,⁵⁴ is said to have been a shelf under the heights, or southern extremity of the palisades, some twenty feet above the water, a dozen paces long and only about six feet wide.⁵⁵

When Hamilton came up, "the parties exchanged salutations"—among the most ironical good mornings ever spoken. The seconds measured off ten full paces and inspected the pistols to see that their barrels did not exceed eleven inches. They cast lots for choice of position and to fix by whom the word should be given, both of which fell to Hamilton's second (the last luck he ever had in the world). The seconds loaded the pistols in each other's presence. When Hamilton and Burr had taken their stations, Pendleton explained to them the rules that were to govern them in firing. He would "loudly and distinctly give the word 'present'—If one of the parties fires, and the other hath not fired, the opposite second shall say one, two, three, fire, and he shall then fire or lose his shot. a Snap or flash is a fire."⁵⁶ Being told that both were ready, Pendleton cried "Present." "Both the parties presented. The Pistols were both discharged succesively [*sic*], (but the time intervening between the two is not here stated[,]) the seconds not agreeing on that fact)[.]"⁵⁷

"The fire of Colonel Burr took effect, and General Hamilton almost instantly fell. Col. Burr then advanced toward General Hamilton, with a manner and gesture that appeared to General Hamilton's friend to be expressive of regret, but without speaking, turned about and withdrew, being urged from the field by his friend . . . with a view to prevent his being recognized by the surgeon and bargemen, who were then approaching. No further communication took place between the principals, and the barge that carried Col. Burr immediately returned to the city. We conceive it proper to add that the conduct of the parties in this interview was perfectly proper as suited the occasion."

Coleman gave further particulars, likely gathered from Pendleton. After Pendleton gave the word, "Mr. Burr raised his arm slowly, deliberately took his aim, and fired. His ball entered General Hamilton's right side: as soon as the bullet struck him, he raised himself involuntarily on his toes, turned a little to the left (at which moment his pistol went off,) and fell upon his face. Mr.

Pendleton immediately called out for Dr. Hosack, who, in running to the spot, had to pass Mr. Van Ness and Col. Burr; but Van Ness had the cool precaution to cover his principal with an umbrella, so that Dr. Hosack should not be able to swear that he saw him on the field."⁵⁸

In response to the request of Coleman, editor of the *Evening Post*, Dr. Hosack described Hamilton's wound, the return trip across the river, and his last hours. "When called to him . . . I found him half sitting on the ground, supported in the arms of Mr. Pendleton. His countenance of death I shall never forget—He had at that instant just strength to say, 'This is a mortal wound, Doctor;' when he sunk away, and became to all appearance lifeless. . . . His pulses were not to be felt; his respiration was entirely suspended; and upon laying my hand on his heart, and perceiving no motion there, I considered him as irrecoverably gone." However, after the boat put off, he slowly revived. "Soon after recovering his sight, he happened to cast his eye upon the case of pistols, and observing the one that he had had in his hand lying on the outside, he said, 'Take care of that pistol; it is undischarged, and still cocked. . . . Pendleton knows, (attempting to turn his head toward him) that I did not intend to fire at him.' " He was then silent, except to say that he had lost all feeling in his legs. Seeing the shore near, he begged that Mrs. Hamilton be immediately sent for; the news must be broken to her gradually, "but give her hopes."

On the wharf at the foot of Horatio Street stood Hamilton's friend William Bayard, whose house was at hand, in dreadful apprehension. One of his servants had seen Hamilton, Pendleton, and the doctor cross to Weehawken; Bayard could not mistake their errand, and now broke into tears at seeing Hamilton lying in the bottom of the boat. He and his family were so distressed they could scarcely obey the doctor's directions to get a bed ready.⁵⁹

In spite of an ounce of laudanum given him during the day, his sufferings were "almost intolerable." Hosack sent for his colleague Dr. Wright Post, and they were joined by the surgeons from the French frigates in the harbor, who had experience in gunshot wounds, but all thought Hamilton's case hopeless.

In the meantime Mrs. Hamilton had been sent for from the Grange, where she knew nothing of what had happened; she reached his bedside at noon. Oliver Wolcott, who had immedi-

ately come to Bayard's, like the others let her think "the cause of his Illness . . . to be spasms—no one dare tell her the truth—it is feared she would become frantic."⁶⁰ Her sister Angelica (Mrs. Church) knew the fact, immediately writing her brother Philip at Albany that "Gen. Hamilton was this morning wounded by that wretch Burr, but we have every reason to hope he will recover." He should notify General Schuyler, who might wish to come down. "My sister bears with saintlike fortitude this affliction. The town is in consternation, and there exists only the expression of grief and indignation."⁶¹

While Burr, at his home at Richmond Hill was outwardly as calm as ever (see below), he had the grace to inquire of Dr. Hosack about Hamilton's condition. In the morning, presumably, of the day Hamilton died, Burr in the third person requested "D^r Hosack to inform him of the present state of Gen^l H. and of the hopes which are entertained of his recovery. M^r Burr begs to know at what hours . . . the D^r may most probably be found at home, that he may repeat his inquiries. He would take it very kind if the D^r would take the trouble of calling on him as he returns from M^r Bayard's."⁶²

Van Ness, Burr's second, made similar inquiry of Pendleton, hoping the wound had not been pronounced mortal, as stated to him. But his fears for Hamilton were mixed with fears for Burr and himself, and he cautioned Pendleton, in his agitation and solicitude, not to publish any particulars until they had consulted.⁶³

Wolcott, leaving the scene of affliction that morning, wrote his wife that Hamilton "has of late years expressed his conviction of the truths of the Christian Religion, and has desired to receive the Sacrament—but no one of the Clergy who have yet been consulted will administer it."⁶⁴ This was true at the time. The Episcopal Bishop Benjamin Moore had come at once when told Hamilton wanted to receive communion. He went away without administering it, thinking the stricken man should have time to reflect and remembering, too, that "under existing circumstances [read the petitioner was brought low by engaging in a duel] it would be . . . proper to avoid every appearance of precipitancy in performing one of the most solemn offices of our religion. . . ."⁶⁵ But Hamilton persisted, and his old friend Dr. Mason, of the Associate (Dutch) Reformed Church, took the place of the departed Bishop Moore at

the bedside. It gave him pain to refuse the dying man's plea because of the prohibition in his denomination to give the communion privately. He comforted Hamilton by explaining that the sacrament was merely a sign of the salvation he could claim from repentance. Hamilton replied that he knew this, that it was only as a sign that he wanted it.⁶⁶ The minister went from scriptural assurances to the sin of the duel. Hamilton declared "his abhorrence of the whole transaction. 'It was always,' added he, 'against my principles. I used every expedient to avoid the interview; but I have found, for some time past, that my life *must* be exposed to that man. I went to the field determined not to take *his* life.' " One does not know but what, in recording the scene for publication, Dr. Mason improved the opportunity to offer pathetic testimony against dueling. Though most of Hamilton's few responses were direct and like him, the final declaration—often quoted afterward—sounds liturgical for one in his extremity. Claspings his hands toward heaven he spoke with emphasis, "I *have* a tender reliance on the mercy of the Almighty, through the merits of the Lord Jesus Christ."⁶⁷

Hamilton still wanted the sign, and at one o'clock in the afternoon Bishop Moore answered his second summons. Again the bishop demurred, but yielded when the poor man told how he had intended for some time past to unite himself to the church, was contrite, forgave Burr for all that happened, and promised if he survived he would ever bear his testimony against the barbarous custom that had humbled him. He received the communion with unmistakable gratitude. The fact was to be that in dying he did the utmost to shock men into horror of dueling. The practice persisted with diminishing frequency in parts of America (South Carolina, for instance) for three-quarters of a century longer, but the sacrifice of Hamilton, in the most celebrated political duel in our history, must be taken to have damaged the sanction.⁶⁸

That night he slept fitfully, next day was manifestly sinking. His seven children, the youngest only two years old, had been brought to his bedside, and for them and wife was his greatest sorrow. Wolcott was there, the doctor and bishop, and doubtless the Churches, when he breathed his last about two o'clock, July 12.⁶⁹

Successive bulletins on Hamilton's condition had informed the

public, and news of his death sank the city in grief while it roused what Burr and his second could see was indignation amounting to menace. This duel was different, not to be excused by private privilege, for the loss of Hamilton was costly beyond anything experienced before. After the duel Burr's boat landed him at Canal Street whence he went to his home "Richmond Hill," then outside the city,⁷⁰ where he took care to remain.

Pendleton, in justification of Hamilton, and pressed by Hamilton's friends, was eager to publish the correspondence that preceded the duel and the precise facts of the meeting at Weehawken. In this he disregarded his own safety. But Van Ness, on behalf of Burr and himself, was for delay and wanted nothing to appear in the newspapers unless he and his principal consented on every point. Conferences between Van Ness and Pendleton were difficult because Van Ness was chary of entering town. At Dr. Hosack's, seemingly the day after Hamilton died, Pendleton read to Van Ness a statement he had prepared, but Van Ness objected to features of it, left to consult his own notes, and the seconds did not get together again before publication in the *New York Morning Chronicle* of July 17, the Tuesday following Hamilton's death on Thursday. Pendleton had waited for Van Ness until the printer demanded the copy, then had supplied wording which he hoped would be found accurate. Van Ness had not kept the appointment because "Apprehensive that my visit to the City would be attended with danger I have stopt at Col: Burr's whose house [torn, is?] unoccupied and where I should be happy to see you." Pendleton made the changes Van Ness wanted. Instead of saying Burr "took aim" he substituted "both parties presented." Also, he gave Van Ness's reason for not taking Hamilton's last letter to Burr—that he considered the correspondence as closed by the acceptance of Burr's challenge the day before.⁷¹

General Schuyler was additionally distressed because when he got the news of Hamilton's death, for which he was totally unprepared, he was confined to his bed at Albany with a particularly bad attack of the gout. On receiving Church's letter the Monday morning following, which indeed was two days after the funeral, he wrote to his daughter Elizabeth, "My Dear Dearly Beloved and Affectionate Child. . . . If aught under heaven could aggravate the affliction I experience, it is that incapable of moving or being

removed I cannot fly to you. . . .” He poured out his love to her. “Should it please God so far to restore my strength as to enable me to go to you, I shall embrace the first moment to do it, but should it be otherwise, I entreat you my beloved Child to come home as soon as you possibly can, with my dear Grand-children.”⁷² The next day he begged Mrs. Church to be his comforter to Eliza, but forbore to write her “lest it should create a fresh paroxism of grief.” “I trust that the Supreme being may prolong my life that I may discharge the duties of a father to my dear child and her dear children. . . . She knows how tenderly I loved My Dear Hamilton. . . . Much I feel all the duties which are devolved on me. The evening of my days will be passed in the pleasing occupation of administering . . . to a Child and Grand-Children so highly entitled to my best exertions.” His son Philip was going to the family in New York at once.⁷³

Immediately it was known that Alexander Hamilton had expired, meetings were called of the principal civic organizations of New York, and orders were issued to the military to participate in the funeral on Saturday, July 14. The Common Council proclaimed that the funeral should be public, at the expense of the municipality, recommended “that the usual business of the day be dispensed with by all classes of inhabitants,” and suspended an ordinance to enable muffled bells to be tolled morning, noon, and evening. The Society of the Cincinnati, of which Hamilton had been president general, arranged the procession, which moved from Mr. Church’s house in Robinson Street at twelve o’clock, the rear of it not reaching Trinity Church until two.⁷⁴ Among the many bodies and dignitaries, especially appropriate mourners for “the first and most beloved citizen” were the faculty and students of Columbia College, the students of law, and the members of the Society of Mechanics and Tradesmen. Following the designated groups were “the citizens in general” to a great number.⁷⁵ British and French frigates in the harbor peaked their yards, and fired minute guns, as did the forts; merchant vessels flew their colors at half-mast.

Gouverneur Morris delivered the funeral oration from a platform in the porch of the church, Hamilton’s older boys, in the demonstrative fashion of the day, seated at hand. Morris made two points, both suitable. In all of Hamilton’s conversations his single concern was the public freedom and happiness, though some-

times he must contend against the people to save them in spite of themselves. Lastly, wrath against Burr must not give rise to new offense to the law; he entreated the citizens to respect themselves.

Pendleton insisted, against Burr and Van Ness, that Hamilton's pistol was discharged after Burr's, and accidentally as he fell. Re-visiting the dueling ground, he thought he established that Hamilton's ball struck a branch more than twelve feet from the ground and four feet to the right of where Hamilton stood.⁷⁶ Dr. Hosack in a post-mortem examination determined that Burr's shot struck Hamilton in the right side, broke a false rib, passed through liver and diaphragm and lodged in a lower spinal vertebra. A pint of clotted blood from the liver was found in the abdominal cavity.⁷⁷

The coroner of the City and County of New York commenced an inquisition the day after Hamilton's death but was obliged several times to adjourn from inability to procure evidence. It was not to be supposed that those immediately involved would testify against themselves; neither would Matthew L. Davis, an ardent friend of Burr who witnessed the duel, obey the coroner's summons, and he went to jail in preference. Later, Dr. Hosack and the two clergymen who had gone to Hamilton's bedside furnished proofs for a verdict, August 2, against Burr, Van Ness, and Pendleton.⁷⁸

Duelists prided themselves on their unconcern both during—and if one survived—after the encounter. Burr was found by a young cousin from Connecticut at his mansion at Richmond Hill, with no remorse and no breakfast. Not until his visitor went into town did he know that Burr that morning had shot Hamilton. At news of the persistence of the coroner's inquest, Burr, before then unruffled, feared he would be arrested for murder. In the public outcry no bail would be allowed. He wrote his son-in-law, Joseph Alston, of the perfidy of his enemies. "I propose leaving town for a few days, and meditate also a journey of some weeks, but whither is not resolved."⁷⁹

After eleven days housebound, while the coroner's jury threatened, and it was feared that a mob would burn Burr's house, his friends determined that he must flee. John Swartwout brought a boat to the foot of the yard, and at ten o'clock at night (July 21) they rowed downriver, arriving in the morning off the landing of Commodore Truxtun at Perth Amboy. Though Burr was restless to press on through New Jersey (which was off limits for him),

Truxtun kept him over Sunday, and Monday took his nervous guest by carriage as far as Cranberry, where Burr hired a spring wagon.⁸⁰ At Bristol he crossed the Delaware to Pennsylvania, and continued by less frequented roads to Philadelphia, the hospitality of his friend Alexander Dallas, and temporary safety.

"Burr parades our streets with unparralled [*sic*] effrontery," reported a friend of Hamilton, "courting the attention of everybody with whom he has the slightest acquaintance. Our Governor has visited him. . . ."⁸¹ He also courted again one Celeste. A few days more, he wrote his daughter, would have produced a "grave event" (for Celeste!), but he feared the genteel governor might feel obliged to extradite him to New York for murder. He headed southward, incognito; harbored with Pierce Butler on St. Simon's Island, Georgia; scouted that state and Spanish Florida for future uses; and after many days in an open boat the fugitive Vice President of the United States reached the home of his daughter Theodosia and her husband Joseph Alston, at Statesburg, South Carolina.

The meeting of Congress compelled him to return to Washington, where he stage-managed the impeachment trial of Judge Samuel Chase. In the meantime the Jeffersonians became his partisans, Giles getting up a round robin of Republican senators asking Governor Bloomfield of New Jersey (where also he had been indicted for murder) to quash proceedings. After some demur this was accomplished, and in New York the grand jury changed the charge to the misdemeanor of sending a challenge. There Burr was legally safe enough, but homeless, for Richmond Hill had been brought under the hammer for \$25,000, but \$8,000 of his debts remained.⁸²

The bullet that killed Hamilton also killed Burr. After the duel his prospects, public and professional, were blasted. He lived for thirty-two years longer—suspected of plotting treason, enduring penurious exile, returning to lasting disrepute. Hamilton on the eve of the duel had expressed the "ardent wish" that he was mistaken in his antagonist's demerits and that Burr, "by his future conduct, may show himself worthy of all confidence and esteem, and prove an ornament and blessing to his country."⁸³ The chorus of condemnation that followed Burr from Weehawken boded ill for the success of this charitable hope. "Surely this man," said a

Maryland editor, "has been destined to us for a curse, and a vexation without end. But . . . we forget every mischief but the present; . . . we start with horror from those hands now reeking with the blood of Hamilton." Burr was '*Damned* to everlasting fame.'⁸⁴

The truest condemnation was that Burr's challenge issued from malice. It was observed that had he succeeded in his bid to be governor of New York "our country would not now be deploring this tragic work of his hand: But in the sullenness and mortification of disappointment, he . . . whetted up a desperate vengeance, which was to lower . . . Hamilton, who . . . had not countenanced his recent pretensions with the Federalists. Else, had a jealous care of his reputation been the sole motive, why should . . . all the Clintons and the Livingstons, who have most openly . . . reprobated him . . . escaped his rage?"⁸⁵

Encomiums were pronounced on Hamilton in editorials, resolutions, sermons, addresses in communities large and small in many states. Inevitably some were heightened by party loyalty, some were maudlin, some repeated honorific phrases informed with no special knowledge of him. In more cases comments were discerning and showed how extensively and deeply Hamilton had impressed the public. He was often coupled with Washington in these regrets. Editors and others who had been his political opponents united generally in praise. Cheetham, of the *New York American Citizen*, was foremost in atonement.⁸⁶

The most thoughtful, perceptive comments came from Fisher Ames in an estimate read to friends and published without his name in the *Boston Repository*. Ames observed that Hamilton "had not made himself dear to the passions of the multitude by condescending . . . to become their instrument. . . . it was by . . . loving his country better than himself, preferring its interest to its favor, and serving it, when it was unwilling and unthankful, in a manner that nobody else could, that he rose, and the *true* popularity, the homage that is paid to virtue, followed him." And on the same theme: "No man ever more disdained duplicity, or carried *frankness* further than he. This gave to his political opponents some temporary advantages. . . ."⁸⁷

Hamilton's public life was knowingly summarized in the *Albany*

*Centinel*⁸⁸ and in Dr. J. M. Mason's funeral oration before the New York Society of the Cincinnati.⁸⁹

An especially affecting tribute was that in the *Balance* by its editor, Harry Crosswell, whom Hamilton had voluntarily defended against libel shortly before: ". . . to me he . . . rendered unequalled service. . . . In my defence, and that of the American press; . . . this greatest of men made his mightiest effort. . . ."⁹⁰

Fisher Ames, in his feeling sketch of Hamilton immediately after the duel, said that his country did not know the half of its loss. "It deeply laments when it turns its eyes back, and sees what Hamilton was; but my soul stiffens with despair when I think what Hamilton would have been." It was natural, when a man of gifts was cut off in middle life, to regret the unfulfilled years.⁹¹ But, in the wisdom of hindsight, we may conjecture that Ames was mistaken in his pang for the future—Hamilton's future and what he might yet have accomplished for America. By the time he went to Weehawken his epoch was behind him, the period of the nation's establishment in sovereignty and solvency. In this preparatory stage Hamilton had been creative as no one else was or could have been. His perception, resourcefulness, and force were dedicated to a supreme opportunity, or, as he would have said, exigency.

His methods, however, in the nature of the case, had to be of an interim character, relying more on the purpose of leaders than on participation of the people.

In the last crowded hours before the duel Hamilton found time to compress his political recommendation for his old friend Theodore Sedgwick of Massachusetts. This brief letter is one of his most famous, because many have misunderstood it. He had had in hand for some time a long account for Sedgwick "explaining my view of the . . . tendency of our Politics, [he meant the danger of New England separation which was bruited in that quarter] and my sentiments as to my own future conduct." Various causes had interfered. "I will here express but one sentiment, which is, that Dismembrement of our Empire will be a clear sacrifice of great positive advantages, without any counterbalancing good, administering no relief to our real Disease; which is *Democracy*, the poison of which by a subdivision will only be the more concentrated in each part, and consequently the more virulent."

He was withdrawing from politics.⁹² Here, succinctly put, was Hamilton's sovereign principle of union, which would tend to neutralize plausible pleas locally addressed. He wrote under stress, giving quickly a word to the wise. From other contexts we are justified in believing that by "the poison" of "Democracy" he meant not the rights of the people, but unworthy designs of demagogues in deceiving the people.

For a century and more thereafter democracy was to be the mode and the signal contribution of the United States—awkward, uncertain, perilously dragging, in the end thankfully right. For this Hamilton had opened the way, but he could not enter into the promised land. In the debacle of the Federalists he regretted that he had not possessed the foresight to cultivate the people. In conscience he did the next best thing. He did not repine for himself or his party, but preferred Jefferson, the people's champion, to a composition of the Federalists with Burr which he was sure must be fatal to all concerned. The king was dead, long live the king!

Within months after Hamilton's death, Jefferson was reelected, and nothing foreseeable would have broken the Democratic succession for two decades following. Hamilton's health was uncertain. The demands of his private law practice were heavier than ever, and must be met in order to recoup his finances.

One does not discount the desire to live, or the satisfactions Hamilton would have enjoyed in his family, his circle of friends, and—as proclaimed at his death—the enduring esteem of his country. But in fact his death was not untimely, in the sense of Fisher Ames' lament. Had Burr's bullet missed, Hamilton could hardly have added to his place in history. He would have retreated into private virtues, and, lacking their dramatic finish, his public merits would be the less sung. In the long roster of superb figures who have drawn men's gratitude, the moment of any one is brief. Washington and Hamilton were both fortunate in having two careers, one military, one governmental. For neither patriot could a longer span brighten what was brilliant.

When charged with responsibility Hamilton was magnificent. Then shone what a mourner called the "exuberance of his excellence." He was in command of all his faculties. He mixed patience with determination; he reached a result at once feasible and sufficient. However, out of power and cast in the role of critic,

his performance was less fortunate. While for some years after he left the Treasury he remained the "idol of the Federalists," he could not content himself with party management. In truth he was a doer rather than a political leader in the familiar pattern of organizer of the opposition. He failed as head of the Federalists, for he fell out with a strong contingent in his own ranks before he took measures against the rising forces without. He undertook to govern for John Adams, and for the major part of the term dominated his Cabinet. The President seemed oblivious of the most direct interference. But when the scales fell from Adams' eyes, Hamilton was undone.

True, he reconciled himself to the advent of the Democrats which he himself, ironically, had helped to invite. He believed Jefferson would not bring the country to smash. His persevering objection thereafter tended to contract from ideological to technical, aimed at Gallatin's departures from a fiscal system which Hamilton had cherished. In main Democratic measures he might consent, but he could not cooperate. He had refused to work with President Adams of his own party. The crisis of the country must have been acute that would bring him into active political collaboration.⁹³

IN RETROSPECT

† Alexander Hamilton devoted himself to developing a new nation to be strong and rounded politically and economically. He was a public man in two senses, for he believed that the engine of improvement was organized effort. Progress for him began in social resolve, in what he called the community's will. This must precede private initiative, and during the preparatory stage would promote, guide, and discipline individual enterprise. He himself did not survive this introductory period of positive, planful government. While he lived he was possessed by the passion for association. For this young country he rejected or deferred the counsel of sovereignty of the individual which originated in France, was voiced in the Declaration of Independence, and was systematized by Adam Smith and his followers. In his view passive government, *laissez faire*, indeed democracy, could not serve until later.

Had he continued well into the nineteenth century, he might have been the champion of private capitalism, which is the char-

acter often ascribed to him. 'Before he died he had contributed powerfully to produce national sovereignty and solvency, which permitted central controls to be relaxed in favor of competition. He regretted at the last that the Federalists had not had time to cultivate democratic preferences. We may only guess what would have been his further policies. As it was, his recommendations for public intervention in the economy applied again more than a century after he left the scene. We are now witnesses to a new assumption of governmental responsibility, in domestic and in world affairs. We speak frankly of a mixed economy and policy—part public, part private. Thus Hamilton lives in the present, and for the future. Particularly new nations asserting their independence and looking to development may take lessons from him.'

He anticipated much that is manifest today. Governmental and economic dogma yield to policy. Rules are relative to time and place. The science of society is only the skill and devotion of public servants, at once stimulating and responding to the hopeful impulses of their people.

Hamilton in his time was the national man. Yet his penchant for planning is pertinent to the solution of current international problems. Unwilling to trust, in the short run, to popular demands, he ever cherished the general welfare and human rights, and labored with ardor to promote them.

. . . And Last

HAMILTON organized the finances of the nation better than he disposed his own. This was apparent as soon as Nathaniel Pendleton opened the packet of private papers which Hamilton had left for him.¹ Hamilton recognized this in his will, made July 9. He devised his estate to his executors—Church, Nicholas Fish, and Pendleton—with instructions to pay his debts if the fund was sufficient, proportionally if not, and the residue, if any, to go to his wife. “Though if it shall please God to spare my life I may look for a considerable surplus out of my present property, yet if he should speedily call me to the eternal world a forced sale as is usual may . . . render it insufficient to satisfy my debts. I pray God that something may remain for the maintenance and Education of my dear wife and children.” If there was a deficiency he entreated his children, if ever able, to make it up. “Though conscious that I have too far sacrificed the Interests of my family to public avocations & on this account have the less claim to burthen my Children, yet I trust in their magnanimity to appreciate as they ought this my request.” In an “unfavourable . . . event of things” he commended their mother to their tenderest care.²

The particulars of this unpromising outlook were in a longer paper in the packet, “Statement of my property and Debts July 1, 1804.” His assets were mainly Western lands, some 31,000 acres which “stood him” about \$49,000.³ He estimated his country place (“My establishment . . . *at Haerlem*”) to have cost about \$25,000. Total real estate was put down at \$74,150; personal

estate (furniture and library \$3,000, horses and carriages \$600, loan \$250) was \$3,850; due him for professional services about \$2,500, making total assets of \$80,500. His debts were principally \$20,000 owing to the several banks in New York, and smaller sums borrowed from clients and friends, such as Lewis LeGuen (\$3,000), Herman Le Roy (\$4,280), John B. Church (\$2,610), Fish (\$1,500), and Victor Du Pont, whom he had befriended in the past (\$1,800). Adding other debts, mostly smaller, and deducting \$54,722 liabilities from \$80,500 assets, he made a balance in his favor of \$25,778. He indicated that he would give a preference to certain creditors, including those who had supplied labor and materials for this country house.⁴

He had counted too heavily on the value of his wild lands, even judging by what they were selling at, and on continuance of his excellent earnings from his law practice, from \$12,000 to \$14,000 a year toward the last. For some time he had not been in the best of health.⁵ His place in the country, commenced in 1802, though his affection centered on it, involved him in larger expense than prudence in his situation would have dictated.

In view of the posture of his finances, Hamilton thought it due to his reputation "to explain why I have made so considerable an establishment in the country." (He had summarized his accounts by saying that, taking his property at cost, he was worth £10,000, and that his lands were likely to fetch a surplus beyond his debts of £20,000. However, he was pained to reflect that in case of accident to him, forced sale of his property might not yield enough to pay his debts.) He had thought to prepare a place of retirement from the harassments of life. Within a reasonable period his earnings, at least \$12,000 a year, would maintain his family and gradually discharge his debts. His heavy costs for Grange had by now been incurred, and nothing further would be undertaken there for the present. He was resolved to hold to a plan to reduce his expenses of every kind to \$4,000 a year exclusive of interest on his country place, even if Grange must be leased for a few years. In the meantime his Western lands were increasing in value and in the end should leave him "a handsome clear property." He felt a delicacy in alluding to expectations of his wife from her mother and father. His chief apology was to friends who from mere kindness had endorsed for him at the banks. He had thought himself

justified in securing them in preference to other creditors. This would not save them from present inconvenience, and he entreated indulgence of the banks for them. He added wryly that if this document should come to public notice it would at least be proof that his financial integrity in official stations defied "even the shadow of a question."

Indeed, he concluded, he had forsworn the ordinary advantages of his military service. Being a member of Congress when the question of commuting the half-pay of the army for a lump sum was in debate, he relinquished his own claims so that his advocacy could not be suspected on grounds of self-interest. Nor had he applied for the bounty lands allowed by the United States or by New York.⁶

Help for his cousin Ann (Lytton) Mitchell was on his mind in the last hours before the duel. He began the farewell letter to his wife by calling Mrs. Mitchell "the person in the world to whom as a friend I am under the greatest obligations. I have not hitherto done my duty to her. But resolved to repair my omission . . . as much as possible, I have encouraged her to come to this country, and intend, if it shall be in my power, to render the evening of her days comfortable." But if this satisfaction was denied him, he begged his wife "to treat her with the tenderness of a sister."⁷ If he had not seen Ann in the years since his youth, it is practically certain that her service had been in giving him money to come from St. Croix to the mainland and sending him more from time to time to help him through his education, the sums being obtained from the estate of her father, James Lytton. Her first marriage was unhappy, her second seems to have furnished an uncertain support. In the packet committed to Pendleton was a sealed letter to her enclosing, "as was mentioned on the out side," \$400.⁸

Friends in New York determined to mend the untoward condition in which Hamilton left his finances. Oliver Wolcott, then president of the Merchants' Bank, took the lead with Gouverneur Morris, Matthew Clarkson, Archibold Gracie, and William Bayard with the approval of Pendleton and Fish, Hamilton's trustees.⁹ Wolcott wrote to men of means, Hamilton's admirers who had benefited by his policies, in Philadelphia, Boston, and Baltimore proposing a subscription of \$100,000 to pay his debts and provide

for his family. This would avoid early sale of his real estate, which was increasing in value but produced no revenue, while his debts were at interest and unless paid must increase. A grant by the national or state government or a general subscription had been considered but rejected in favor of a private contribution by "a number of Gentlemen of easy fortunes." Thomas Willing, of Philadelphia, president of the Bank of the United States, responded with ardour, started a subscription paper among "our most respectable and monied Citizens, and known for their warm and decided attachment to the character and principles of the General." However, he and some who wished to join with him questioned whether raising the fund would not offend members of the family, particularly General Schuyler, whose wealth and disposition to provide for his daughter and grandchildren could not be doubted. Hamilton himself had referred to Schuyler's ability in this connection.

Wolcott set aside this fear that the relief proposed was indiscreet or officious. The family would be gratified at such a testimony of esteem. If the debts of men in high station such as Fox and Pitt were discharged by their friends while they were alive and active, surely the dependents of a dead patriot might be aided. He reminded that men of ample fortunes "owe their property in a great measure, to the operation of that political system of which Genl. Hamilton was the efficient agent." When pressed further—as by McHenry, who complained that subscriptions in Baltimore lagged because "The real or presumed great wealth of Gen. Schuyler is in everybody's mouth"—Wolcott disclosed that Schuyler "owes money & has no funds at command."¹⁰

About October 1, some \$19,000 had been subscribed in New York, King had mustered an active group in Boston, but little was collected in Baltimore and less in Philadelphia. On this date Wolcott, finding the plan a failure, wrote that "The property will all be sold & the Estate after all be *Insolvent*."¹¹

In the meantime Philip Schuyler, aged and ill, was doing all he could to cheer and assist his daughter. Mrs. Hamilton and several of her children were with him at Albany. He showed her land, probably near his mansion, which he intended to give her and lay out in lots which she could sell. He executed the deed accordingly in regular form August 14, 1804, but, as she had returned to New York, it was not delivered to her, being found among his papers

after his death.¹² He followed her with a report of his health and hopes that she had found a comfortable house in town.¹³ Dr. Stringer had lanced the ulcer in his foot and much matter was discharged to his relief from pain, but he must remain in bed ten or twelve days. "Pray let me know If you have as yet obtained a . . . convenient house[.] procure one if possible sufficiently large that you may not be in the least crowded, for remember, that it is my intention that you should be well accommodated,—and make every want immediately known to me that I may have the pleasure of obviating it."¹⁴

In one of her father's last letters he was on the same themes. He could not walk but hoped to visit her that winter at the house she had secured in the city if there was sledding. He wanted her table to be well supplied. As soon as his winter's store of fat cattle and hogs arrived, "every thing will be prepared for you," including butter and "Pig's feet souse."¹⁵

The subscription by George Cabot and other Boston friends of their Pennsylvania lands denoted an act of double friendship. They had purchased these lands from Pickering in 1801 when, out of office, he meant to move to the frontier and (ever the self-reliant farmer) to cultivate part of his domain. The buyers, having given Pickering the only help he would accept, so that he could settle again in Massachusetts, never had their lands so much as transferred to their names. Pickering now conveyed them (245 shares of nominal value of \$100 each) to Hamilton's executors, who were cautioned by the donors in disposing of them to consult Pickering, as he retained ownership of more than a fourth of the entire property. This generous gift formed a latent resource for Mrs. Hamilton and her children.¹⁶

On a subscription form of July, 1804, prepared by Wolcott for circulation in New York, he wrote later at the bottom without date, "afterwards the business assumed a different form. About Eighty thousand Dollars were subscribed which were applied to pay the debts of Gen^l Hamilton; his Property was sold for the reimbursement of the Contributors. The Country seat was purchased in at the sale for \$30,000 and was surrendered by a select number of Friends to Mrs. Hamilton for \$15,000:—The effect was, that Mrs. Hamilton saved the country seat:—Nothing was obtained at Philadelphia or Baltimore. A number of gentlemen in Boston trans-

ferred a quantity of new Lands in Pennsylvania but the family . . . have derived no benefit from the Transaction."¹⁷

Certificates of shares in this "Alexander Hamilton Association" are preserved. Dated November 29, 1804, they recite that the certificate (\$200 a share) is assignable and is receivable on sales of the estate by the trustees. Signing as trustees are Gouverneur Morris, Rufus King, Egbert Benson, Oliver Wolcott, and Charles Wilkes.¹⁸ Nine months after Hamilton's death the fund, or loan to his executors, amounted to at least \$39,700¹⁹

As Wolcott said, the family naturally felt the greatest attachment to Grange of any of Hamilton's property.²⁰ The "select number of Friends" who absorbed the loss of half its purchase price were twenty-nine in number, including Hamilton's personal intimates, political supporters, and wealthy clients.²¹

Mrs. Hamilton remained at the Grange at least as late as 1813, so the benevolent act of her friends enabled her to bring up her brood there. But the place was expensive to maintain, the farm yielding trifling returns, and she felt obliged to sell it and move to the city.²²

Mrs. Hamilton received her allotment of lands, at Albany and scattered in northern New York under the will of her father, who died November 18, 1804.²³ These she sold off from time to time to meet her needs and frequently to permit her to contribute to charities in which she was active.²⁴ Generous in meeting the distresses of others, when her youngest son was growing up she had to deny herself and her children.²⁵

A year and a half after Hamilton's death all his real estate except the Grange place at Harlem, which had been purchased by holders of certificates in the Hamilton Association, was advertised for sale at auction.²⁶ He had four lots on the lower east side of Manhattan, and, representing five shares in the Ohio Company, some 245 lots, typically 125 to 225 acres each. A few of these were divided into about 150 house lots in two towns, one on Salmon River, the other on Salmon Creek. Hamilton had 37 lots (150 acres each) in Nobleborough Township, his share of lands formerly held in common with I. [John] Lawrence, Robert Troup, and Nicholas Fish. These last may have been the lands he bought in January, 1796, in connection with Lawrence and Church. From a maze of accounts it seems Church had half-interest, the

others one-fourth each, and that Church largely financed Hamilton's share, some \$14,000 for about 7,000 acres. One township was ripe for settlement, the other would be when the great road to Oswego passed through it in the summer of 1797.²⁷ However, this purchase may have been in Scriba's Patent. Successful application for government allowance in money and lands for her husband's military service, which he had declined, was a grateful relief.²⁸

Mrs. Hamilton made persistent efforts in the many years that she survived her husband to secure the preparation of a biography that would preserve his fame, which she feared would suffer from the change in political complexion of the national administrations. With help from her sons she industriously collected his papers, queried his contemporaries for testimony; nothing was too much trouble in this behalf. She was disappointed in a succession of friends chosen to write Hamilton's life. Dr. John M. Mason's health would not permit the labor. Joseph Hopkinson, the author of "Hail! Columbia," was delivered the materials and examined them, but in the autumn of 1821 resigned the project from lack of time and industry.²⁹ William Coleman, editor of the *New-York Evening Post*, who had promulgated Hamilton's principles and who had published particulars of the duel and eulogies, seems to have been admired for the assignment, but Pickering was selected. Nicholas Fish assured Pickering that his acceptance would "be balm to [Mrs. Hamilton's] drooping spirits, it will renew with confidence the hope of having justice at last done to the memory of her husband in a faithful biography."³⁰ Pickering's death in 1829 left evidence of his willing endeavors but no connected manuscript. Twenty years before, when Hopkinson was the intending biographer, Mrs. Hamilton had received from Bushrod Washington the terms he had made with the publisher of John Marshall's life of George Washington.³¹ A few months after Pickering's death she entered into a similar agreement with Francis Baylies, her clergyman, but nothing came of it.³² However, having sought widely she found what she wished near at home, for her son, John Church Hamilton, commenced to publish a life of his father (Vol. 1 in 1834, Vol. 2 in 1840, in this form left incomplete). When in 1849 the national government purchased the bulk of Hamilton's manuscripts, she was additionally gratified, for the same

son edited them for the Joint Library Committee of Congress.³³ Her cup had she lived must have run over when he brought out his *History of the Republic as Traced in the Writings of . . . Hamilton*. . . . (7 vols., Appleton, 1857-64).

Late in her long life Mrs. Hamilton left New York to live with her daughter Eliza, the widow of Sidney A. Holly, on H Street in Washington, D.C. Until almost the last she went about alone, was alert to her world, received friends with grace, talked on occasion with animation. She died in 1854 at the age of ninety-seven, having outlived her husband half a century. She was buried beside him in Trinity churchyard, New York. She was a true helpmeet to Alexander Hamilton, and deserves all praise in his story. Less intellectual than Abigail Adams, not so traveled and sparkling as her own sister Angelica Church, she was constant to a surpassing degree. Her qualities of competence, courage, and affection were the best supports of the man of brilliant parts who chose her and to whom she devoted her life. Nor should we think of her as confining her loyalty to the domestic sphere. She was Hamilton's champion in every avenue open to her, and without her zeal in preserving the memorials of his greatness his reputation would be the poorer.

Of the eight Hamilton children, Philip, twenty when killed in his duel with Eacker in 1801, may have been the most promising. Next him in age was Angelica, then seventeen, a girl of beauty and a sprightliness resembling that of the aunt for whom she was named and maybe of her grandmother in the West Indies. Her playing of the piano (sent for her from London, and still at the Grange) was a special pleasure to her father. Perhaps caused by Philip's tragedy she became mentally disturbed. She did not recover in years of tender care given by her mother at home, and spent the remainder of her life (she died at seventy-three) under the eye of a physician at Flushing, then a rural village. Of the others—five sons and a daughter—four of the boys (including Alexander, who did not become a merchant as planned) entered the law, the three eldest after graduating from Columbia College. These all were in the War of 1812-1814.³⁴

James Alexander had an active political career, first as a Whig, then a Democrat and, on President Andrew Jackson's appointment, was acting Secretary of State in 1829.³⁵ John Church is remem-

bered as his father's biographer and editor of his papers; his performance was far more extensive and thorough than is usual in such filial undertakings, and not less partisan. William Stephen, next in line, early went west, was visited by his mother in Wisconsin when she was eighty and the trip was by river steamers. Eliza (Mrs. Holly) inherited her mother's faculty for good management, and was her dependence in old age. Philip, the youngest, named for his oldest brother, was a baby at his father's death, had less formal education than the others; his special kindness made him known as a poor man's lawyer. In sum, the children of Alexander and Elizabeth Hamilton had more than respectable lives, but none gave evidence of the unique endowments of their father.³⁶

Notes

Chief Symbols and Abbreviations Used in Notes

- ADS (autograph document signed)
ALS (autograph letter signed)
AMH (Allan McLane Hamilton, *Intimate Life of Alexander Hamilton*)
Annals (*Debates and Proceedings in Congress of U.S.*, Gales and Seaton, 1834)
CHS (Connecticut Historical Society, Hartford)
DAB (*Dictionary of American Biography*)
HLC (Hamilton Papers, Library of Congress)
JCC (Journals of Continental Congress)
JCHW (J. C. Hamilton, ed., *Works of Alexander Hamilton*)
LHW (H. C. Lodge, ed., *Works of Alexander Hamilton*)
MHS (Massachusetts Historical Society, Boston)
NYHS (New-York Historical Society, N.Y.C.)
NYPL (New York Public Library)
NYSL (New York State Library, Albany)
PHS (Historical Society of Pennsylvania, Phila.)
Hist. Repub. (J. C. Hamilton, *History of Republic Traced in Writings of Alexander Hamilton*)
RIHS (Rhode Island Historical Society, Providence)
STOKES (*Iconography of Manhattan Island*)
U.S. ARCH. (United States Archives, Washington, D.C.)
WASHINGTON'S Writings or W (J. C. Fitzpatrick, ed.)

Chapter 1 (Pages 1–13)
Old Business and New

1. 34 JCC 56. Of nine nominated from the floor in the Assembly, H, fifth highest in number of votes, was chosen only after a contest (*Jnl. N.Y. Assembly*, 11th sess., 34–7).

2. 34 JCC 601.

3. Cf. to Madison, April 3, 1788: "I send you the *Federalist* from the beginning to the conclusion of the commentary on the Executive Branch. If our suspicions of the author be right, he must be too much engaged to make a rapid progress in what remains. The Court of Chancery and a Circuit Court are now sitting" (9 LHW 427; cf. 429). On his pains to place bound volumes of *The Federalist* in quarters where they would exert influence, cf. to same, May 4, 19, and to Washington, Aug. 13, 1788 (*ibid.*, 428, 431, 441). He apologized to Gouv. Morris for not writing, "But . . . I have been so overwhelmed in avocations . . . that I have scarcely had a moment to spare to a friend" (May 19, 1788, *ibid.*, 428–9). For his concern, after Poughkeepsie, over the issue of first elections to national office, see 1 JCHW 470–90, 9 LHW 441–56. H's absence was nevertheless subject of polite complaint: ". . . there are only six States who will attend. N Y have indeed a representation in Town but one of the members is so engaged in private business he cannot attend" (S. A. Otis, April 13, to Geo. Thatcher, 8 Burnett 717; cf. Nathan Dane to same, April 20, 1788, *ibid.*, 722).

4. Jas. White wrote to his governor of his pleasure that Williamson and Swann would join him for North Carolina: "But people in general seem . . . to despair of effecting anything with a sick and worn out political constitution. Scarcely has there been a competent number of states, the whole winter. Even the delegation for new-York has neglected attendance" (April 21, 1788, in 8 Burnett 724). Swann himself recorded five months later that, place of first meeting under the new government being fixed, "Congress . . . like all other Bodies about to expire, will scarcely have a Witness to its dissolution" (Sept. 21, 1788, to Iredell, *ibid.*, 800).

5. 34 JCC 72–3, 77.

6. *Ibid.*, 194, 198.

7. To Madison, June 7, 1788 (8 Burnett 749–50).

8. From his home in Orange Co., Va., April 8, 1788, to Geo. Nicholas, *ibid.*, 714.

9. 34 JCC 281, 287–94.

10. *Ibid.*, 493, 502 n., 530–34.

11. *Ibid.*, 527, 534–5.

12. *Ibid.*, 80–81.

13. 9 LHW 430–31.

14. July 28 New York's votes were cast by others, *ibid.*, 359.

15. H was earnest in appealing for the vote of Rhode Island in Congress to make New York, rather than Philadelphia, the national capital. He offered to meet personally the expense of sending forward Rhode Island representatives who would favor New York. This location of the capital was important to all the Northern states and would perhaps induce Rhode Island to ratify the Constitution (ALS to Jeremiah Olney, Aug. 12, 1788, Olney Papers, RIHS).

16. *Ibid.*, 282.

17. *Ibid.*, 303–04.

18. Paine Wingate to Sam'l Lane, July 29; Williamson to Iredell, July 26, 1788 (8 Burnett 771, 768).

19. 34 JCC 359–60.

20. *Ibid.*, 367–8.

21. Cf. Madison, N.Y., July 21, to Washington; N.C. delegates to gov., July 27, 1788 (8 Burnett 763–4, 769).

22. Aug. 4, 1788 (34 JCC 383–6).

23. Madison to Washington, Aug. 11, 1788 (8 Burnett 779).

24. Williamson, 34 JCC 398; cf. Madison to Randolph, Aug. 11, 1788 (8 Burnett 778).

25. To Washington, Aug. 11, 1788 (8 Burnett 779).

26. Aug. 29, 1788 (9 LHW 442–3).

27. 34 JCC 393–4, 396–401, 522–3.

28. To Washington, Sept. 14, 1788 (8 Burnett 795–6).

29. 34 JCC 13 n., 448–53, 507–12.

30. 8 HLC 1011.

31. A delegate wrote, Oct. 2, 1788: "The new Building is going on with spirit . . . the workmen made such a continual noise that it was impossible to hear one another speak" (Geo. Thatcher to Nathan Dane, 8 Burnett 802).

32. 34 JCC 300 n.; Nathan Dane was chairman.

33. *Ibid.*, 554-70; H was member of another committee which reported that day.

34. *Ibid.*, 600-01.

35. The N.Y. Senate, in answer to the governor's speech, contemplated "the adoption of the present system by so large a majority of the states, with the utmost satisfaction," but, in obedience to mandate of the late convention, would recommend submission of the Constitution for amendments. Clinton replied with his usual lack of enthusiasm: "On this occasion it would be improper to make any animadversions . . . on the causes which induced to a change of our present system of federal government; on the merits of the new constitution; or on the consequences which may result from its adoption. . . ." (*N.Y. Daily Adv.*, Jan. 1, 1789).

36. To Sedgwick, Jan. 29, 1789 (9 LHW 456-7).

37. ALS, Jan. 1, 1789, NYSL. Gov. John Hancock had submitted to the Mass. legislature Clinton's letter calling for an amending convention, but the members concurred in Hancock's objection that this would be expensive "if not dangerous to the Union. . . ." (LS, to Clinton, Feb. 21, 1789, Huntington).

38. *N.Y. Daily Adv.*, Feb. 13, 1789; also 7 pp., dated Feb. 18, 1789, copy in Huntington Lib. signed in ms. by H (Evans 22, 85). For excellent descriptions of this campaign, see Alexander, 1 *Political Hist. N.Y.* 37 ff.

39. It was added that since the capital was in New York, the governor should be a gracious host to national characters; the perquisites attached to his office for entertaining were not "for the sake of enriching the possessor." Clinton's acquisitiveness was always a theme. (*N.Y. Daily Adv.*, Feb. 20, 1789, conveniently found in 2 LHW 103 ff.; for a similar letter, answering a defense of Clinton by friends, *ibid.*, 113 ff.)

40. *N.Y. Daily Adv.*, Feb. 20, 28, 1789.

41. *Ibid.*, March 3, 1789. The two elections, state and local, were linked in a card two days later. The true issue was not lawyer versus merchant, but whether the new Constitution should stand or be destroyed; Clinton's partisans only pretended to uphold the commercial interest; they were anti-Federalist, would plunge the community into distress (*ibid.*, March, 5, 1789). "A Mechanic" said Broome refused his credit for £20 toward renovating Federal Hall where he would sit if elected. Did this show attachment to the federal government? "If his poverty was the cause of his refusal, he may be open to corruption" (*ibid.*, March 3, 1789). Another would have his fellow voters "Beware of Lawyers!!! Of the men who framed that monarchical, aristocratical, oligarchical, tyrannical, diabolical system of slavery, the *New Constitution*, one half were Lawyers!" Of the city and county delegates in the Poughkeepsie convention whose "wicked arts" committed the state to "that abominable system," seven out of nine were lawyers.

Lawyers were opposed to "our great and good . . . Governor" (*ibid.*, March 4, 1789).

42. Hamilton misc., NYHS, notes of meeting at City Tavern, H in chair, April 11, 1789. In H's hand is a copy of his letter introducing John Jackson, a merchant of N.Y.C., who was visiting different counties at behest of the committee to promote the election of Yates over Clinton. Controversial letters about the campaign are in *N.Y. Daily Adv.*, April 14, 16, 17, 18, 1789. And by way of finishing up, Troup to Nich. Low, "Mr. Hamilton & I would esteem it a particular favor if you would meet Mr. Constable & us at the Coffee house at 1 oclock Today to assist us in settling our political accounts" (ALS, Aug. 18, 1789, Troup Papers, NYPL).

43. *N.Y. Daily Adv.*, March 24, 1789.

44. ALS, to Van Ransaler (*sic*), March 22, 1789, Emmet 9272 NYPL.

45. See 2 LHW 133-75; they were ostensibly to a gentleman of Suffolk County. The assumed initials H.G. may have been a reversion to Hamilton of Grange. A critic said H stood for haughty, G for grumble ("Wm. Tell" in *N.Y. Daily Adv.*, April 6, 1789).

46. *Op. cit.*

47. 2 LHW 172.

48. In Letter V, dated Feb. 25, 1789, but not published until three weeks later, H charged that soon after the evacuation of the city Clinton suppressed a proclamation of the governing council which denounced a raid on Rivington's press. In this, Clinton deferred to the very men (Lamb and Willet) responsible for the outrage. Willet took H to task (*N.Y. Daily Adv.*, March 19), saying he and Lamb secured withdrawal of the proclamation, and Clinton knew nothing of it. H in effect repeated the charge (*ibid.*, March 21), but admitted that members of the council to whom he had applied had only indistinct recollection of the episode (cf. last letter of H.G., 2 LHW 174). H had appealed to R. R. Livingston and Egbert Benson (see ALSs to former, March 18, 22, 1789, Livingston Papers, NYHS). H refused to drop his pseudonym, though Willet signed his name. Willet replied (*Daily Adv.*, March 23) in moderate tone; thought he knew who H.G. was, would hope to call and convince him of his mistake. (For parting shots, see *ibid.*, April 13, 16, 18, 1789.)

49. *N.Y. Daily Adv.*, March 27, 1789. Later he identified H.G. as also author of the circular to the Albany supervisors (*ibid.*, April 1, 1789). H had been severe with Clinton, but Tell descended to personal abuse of H: "Your private character is still worse than your public one, and it will yet be exposed by your own works, for [you] will not be bound by the *most solemn of all obligations!******" This was telling too much and too little. Did the seven asterisks mean "wedlock"? If so it may be the earliest instance of a charge frequently uttered. Tell went on with a slur untrue, which H suc-

cessfully appealed to Washington to gainsay: "There was a certain aid de camp" who disparaged Washington because the commander in chief "withdrew . . . confidence" from him. Washington had "penetrated easily into the little ambitious soul of the aid. . . ." H might be named to important public office, judicial or fiscal, and flattered by several sorts of unsavory characters, including "the unprincipled libertine and . . . advocates of the playhouse," but he would "forever forfeit the esteem . . . of men of virtue. . . ." (*Daily Adv.*, April 21, 1789). The Old American Company was offering at the theater *The School for Scandal*, which accorded with the Political Scandal rampant. Cf. March 28, "A Whip for William Tell," and (April 2) "Whippers In," to defense of H: "From your first arrival in this country . . . I could detail to the world a series of conduct in you, that would turn envy to admiration." This supporter may have been the same as M[organ] L[ewis?] who in a long ms. letter to R[obert] T[roup] at this time answered reports circulating to H's prejudice (7 HLC 952-5). See also "A Friend to H.G." (doubtless H himself), *Daily Adv.*, April 14, 1789.

50. For a forecast of the vote, see ALS, Jacob Cuyler to Rich'd Varick, April 5, 1789, Varick misc., NYHS.

51. As early as Jan. 20, 1789, "L.M.K." declared in *N.Y. Daily Gazette* that many looked to H to break the deadlock in the legislature.

52. *Jnl. N.Y. Assembly*, 13th sess., 1st meeting, 12 ff., July 6-16, 1789. Morgan Lewis had written H from Rhinebeck, June 24, 1789, that he knew city men wanted King for one of the senators: ". . . I have thrown it out in Conversation to several of the Country Members & have found it very generally disapproved of . . . it cannot at present be accomplished." He feared that if insisted on it would prevent the naming of Schuyler, because many Federalists considered they must make Judge Yates a senator as proof that he was not pushed for governor merely to get rid of Clinton. Hamilton would please advise (ALS, 8 HLC 963). Later, Lewis nominated Schuyler and Duane.

53. July 15, 1789 (9 LHW 457-8, where first printed).

54. *Ibid.*, 458 n. Hammond (1 *Hist. of Political Parties in N.Y.*, 4th ed., 50-51) thought Schuyler failed of reelection because his austere, aristocratic manners made him personally unpopular, while Burr was of "fascinating address" and was opposed to both Clinton and H. However, since Morgan Lewis (of Livingston loyalty) replaced Burr as atty. gen., the Livingstons may have planned the maneuver.

55. *N.Y. Daily Adv.*, Jan. 28, 1790; the care must be that the "considerable influx of money" should be shared by shoemaker, smith, and laborer, who had not raised their prices, as well as by farmer, miller, and merchant.

56. *Ibid.*, Feb. 24, 1790. A correspondent at Bordeaux informed Short, "We flatter ourselves great supplies of wheat and flour will arrive from

America[;] great speculations are on foot from hence and considerable sums of specie are shipt off to make the purchases. This . . . will provide . . . facilities to Congress in Collecting [*sic*] of the Taxes." (ALS, John Bondfield, Nov. 21, 1789; cf. Constable to Ellice, Dec. 26, [1789], "the immense Export of Flour has been an additional Cause of the rise, as the French Islands are opened to us & 50 $\frac{1}{m}$ Bls of Flour have been shiped within a very few Months." Portugal and Spain were buying. Letterbook, NYPL.) A letter from Paris, Nov. 20, 1789: "Grain is still at an enormous price among us. . . . Our merchants . . . continue to fit out Vessels for your Country, and . . . our Hopes for Bread depend . . . upon the Industry of your Farmers. . . ." The good Americans were trusted to "save us from the Jaws of Famine" (*Md. Jnl. and Balt. Adv.*, March 16, 1790). April 1 the ship *Amsterdam Packer* brought to Phila. dollars. "Instead of European vessels entering our ports loaded, and returning with the specie of our country, we now find them coming to us for lading, and bringing specie to pay for it" (*Gaz. of U.S.*, April 10, 1790). See "X" in *N.Y. Jnl and Weekly Reg.*, April 15, 1790; when, amidst prosperity, "the resources of the union are to be administered by the vigour of an individual, who unites the phlegm of judgment to the whimsical activity of the imagination," it was unworthy in the secretary to propose to compound with public creditors. Constable reported to Gouv. Morris, in Europe, that wheat and flour were "at the most extravagant rates"; wheat was shipping at 9s. and flour near 40 (April 3, 1790, Constable Letterbook, NYPL). For similar evidence of revival, *N.Y. Daily Adv.*, March 16, 1790, report of state treasurer showing payment of arrears of taxes. A Virginia correspondent of Madison exulted that "our Exports are becoming infinitely greater than our imports," frugality and industry had returned, and, with specie scarce, interest rates were high and would remain so (ALS, Geo. L. Turberville, April 7, 1790, Madison Papers, NYPL).

57. *N.Y. Daily Adv.* Feb. 10, 1790; Indian corn was \$2 per barrel of 5 bushels. Alex. Nelson, Phila., observing that "purchasers have attended the Virginia Markets all the last season," for N.Y.'s supply, wanted to buy for Nich. Low near Staunton (ALS, Aug. 17, 1789, Low misc., NYHS).

58. *N.Y. Daily Adv.* Jan. 27, 1790.

59. *Mass. Centinel*, Jan. 23, 1790. A signal achievement was completion of the first voyage of an American vessel (ship *Columbia*, Capt. Gray) to China. (See triumphant announcements in *Columbian Centinel*, Aug. 11, *N.Y. Jnl.*, Aug. 17, 1790). Noah Webster would prepare, publish journals, charts, &c. (Wm. Greenleaf to Webster, Aug. 11, 1790, Webster Papers, NYPL). A writer on "Mechanick Arts" in *Columbian Centinel*, Boston, Dec. 1, 1790, poured out praise of revived political and economic confidence since Constitution was established.

60. Copy, N.Y., June 3, 1790, Morgan Library. Benj. Lincoln reported that Massachusetts people were laying their prosperity to the new Constitu-

tion: "There never was a moment since I knew the State when so much happiness reigned in it. . . . Our commerce is blessed, our land have [*sic*] yielded such an increase as has warmed the hearts of all with gratitude" (ALS, Jan. 5, 1791, *ibid.*).

61. Geo. L. Turberville, June 16, 1789, Madison Papers, NYPL.

62. Vice Pres. Adams was soon giving his view: "The Constitution has instituted two great offices, of equal Rank, and the Nation . . . have created two officers: one, who is the first of the two equals, is placed at the Head of the Executive; the other at the Head of the Legislature" (ALS, to Benj. Lincoln, May 26, 1789, Morristown Nat. Mus.).

63. 4 JCHW 1-4; Washington's autograph note of thanks of the same day, May 5, 1789, is in 7 HLC 957.

Chapter 2 (Pages 14-31)

Secretary of the Treasury

1. 1 *Annals of Congress* 368-9. When Bland and Jackson preferred the method of a select committee to digest the problem before debate (369, 374), and Gerry wished adjournment because members were unprepared for discussion (384), Boudinot defended his procedure. He had preferred a select committee (370), and proposed it a week earlier (384), but was overruled in favor of a general preliminary consideration. His prior suggestion is not noted in the *Annals*.

2. *Ibid.*, 369-71.

3. *Federalist*, LXXVII: ". . . the cooperation of the Senate, in the business of appointments . . . would contribute to the stability of the administration. The consent of that body would be necessary to displace as well as to appoint. A change of the Chief Magistrate, therefore, would not occasion so violent or so general a revolution in the officers of the government as might be expected, if he were the sole disposer of offices. Where a man . . . had given . . . evidence of . . . fitness . . . a new President would be restrained from attempting a change" lest the Senate might disagree. For Smith's use of the passage, 1 *Annals* 456-57 ff.

4. 1 *Annals* 383.

5. *Ibid.*, 384-89.

6. *Ibid.*, 389-91.

7. *Ibid.*, 391-92.

8. *Ibid.*, 394–96 (May 21, 1789).

9. *Ibid.*, 411–16.

10. For example, prominent among those for presidential discretion were Sedgwick and Ames, and opposed were Gerry, Sherman, and Livermore, all of New England. In the South, for removal by the President were Madison, Lee, and Baldwin, but opposed were Page, White, William L. Smith, and Jackson. In the Middle States most were for giving the President latitude (Boudinot, Benson, Lawrence), but Stone was opposed, and Daniel Carroll, also of Maryland, was for an early abolition of the Office of Foreign Affairs as unnecessary.

11. Senator Maclay noted some months later that, bearing earnest resolutions, he called at Scott's lodgings. "But—shame to tell it—he, a man in years and burdened with complaints and infirmities, had lodged out and was not come home yet. The manner in which my inquiries . . . were answered sufficiently explained the objects of his absence. Such occultations are common with him. Pity that a good head should be led astray by the inordinate lust of its concomitant members" (Journal, 200–01).

12. 1 *Annals* 529–33.

13. *Ibid.*, 578–85; on third reading in House, for removability of secretary at discretion of the President the vote was 29 to 22 (591).

14. *Ibid.*, 591–92, 608.

15. *Ibid.*, 596.

16. *Ibid.*, 593–4.

17. *Ibid.*, 605.

18. *Ibid.*, 606–07.

19. Anyhow, observed Baldwin, the secretary could not be restrained from access to members of the House out of doors if he chose. "And cannot he infuse his dangerous and specious arguments and information into them as well in the closet as by a public and official communication?" (607). This practice was afterward abundantly charged against Hamilton by hostile critics of whom Senator Maclay was a type.

20. *Ibid.*, 604, 611. Madison suggested that the comptroller, in view of his quasi-judicial capacity between government and private claimants, ought to serve during good behavior, not at the pleasure of the executive power, but he did not pursue the precaution (611–615).

21. *Ibid.*, 615, 619; for the body of House debate on the Treasury bill, see 592–607, 611–15.

22. *Ibid.*, 55.

23. Signed Sept. 2, 1789. 1 *The Laws of the United States of America*, published by authority (Philadelphia, Richard Folwell, 1796), 36-40; 1 Stat. at Large, 65-7.

24. Thus the treasurer should make disbursements "upon warrants drawn by the Secretary of the Treasury, countersigned by the Comptroller, recorded by the Register, and not otherwise. . . ." (*ibid.*, 37). The precaution against any Treasury employee being able to gain personally from Treasury operations was most particular. He was forbidden, under penalty of fine and disqualification for ever holding office under the United States, to have any part in commerce or deal in public lands or public securities.

25. "C" in *N.Y. Jnl. and Weekly Reg.*, April 22, 1790; two days later "A.B." blamed H for introducing in his finance report "the ambiguity of political problems."

26. Adam Stephen (Berkeley, Va.) to Madison, April 25, 1790 (13 Madison Pap., LC); cf. "Americanus" in *Gaz. of U.S.*, April 24, 1790, hoping H's "noble pursuit of the public welfare" would survive the assaults of "ambition, avarice, and vanity."

27. 1 *Annals*, 795 (Aug. 28, 1789).

28. 1 *Laws of U.S.*, 40-41. We do not know the reasons for differences between departments and officers otherwise. The Secretary of War was given \$3,000. The assistant to the Secretary of the Treasury was to have \$1,500 (less than the comptroller and treasurer, \$2,000 each), but more than "the chief clerk in the department of state," \$800. The vote in the House, more or less on party lines, was 27 to 16. (1 *Annals*, 796); the Senate concurred without difficulty (*ibid.*, 75).

29. 4 *Hist. Repub.* 29-31; Troup's narrative is printed in *William and Mary Quarterly*, 3rd Ser., Vol. IV, No. 2 pp. 203-25.

30. Madison to Jefferson, N.Y., May 27, 1789 (5 *Writings*, Hunt, ed., 370-71n.).

31. Autograph "Thoughts on the Establishment of a Bank," 8 pp., NYHS.

32. Monaghan's *Jay*, 301.

33. *Ibid.*; H. P. Johnston, 3 *Correspondence and Public Papers of Jay* 372-3, gives Jay's letter to Pettit, July 14, 1789, omitting what Monaghan quotes, but including further indication that he would not be named to the Treasury. Madison in May (*op. cit.*) had written Jefferson, "I have been asked whether any appointment at home would be agreeable to you," which might mean that Jay preferred the Chief Justiceship, to which he was appointed Oct. 5 (Johnston, *ibid.*, 378-9), to the State Dept. Cheet- ham and others attacking Burr's politics listed among the causes of his joining the Republicans "the appointment of Hamilton to the office of Secretary of the Treasury in preference to himself." (*N.Y. Ev. Post*, July

21, 1802, summarizing pamphlet on political conduct of Burr; editor had never heard Burr was considered for the Treasury.)

34. ALS, 8 HLC 972. The schedule of neither father nor son was arduous: "He may go into Town [from Richmond Hill, later the home of Burr], and come out, with me every day, and attend your office, from between ten and eleven, to between three and four," as a usual thing. What were H's terms, etc.? This was the auspicious beginning of a relationship between Adams and H which ended very differently. Also Charles, from bad habits, ended differently from what his father planned.

35. 1 *Annals* 55, 57; other Treasury officers were confirmed that day and the next—Nich. Eveleigh, comptroller; Sam'l Meredith, treasurer; Jos. Nourse, register; Oliver Wolcott, Jr., auditor. Knox, as all had expected, was continued as Sec. of War.

36. ALS, Sept. 13, 1789, photostat in H papers, NYPL.

37. April 17, 1791 (7 Wolcott Papers, CHS).

38. Sept. 25, 1789 (30 *Writings* 413–14).

39. Nat. Cutting, Havre, to Wm. Short, Paris, Oct. 26, 1789 (5 Wm. Short Papers, LC).

40. Nov. 3, 1789 to Short, *ibid.*

41. ALS, Rutledge to Short, Nov. 4, 1789, *ibid.* Short had the same information from Europe by Nov. 12 (to Carmichael, *ibid.*).

42. ALS to Silv. Bowen, Nov. 22, 1789, H misc., NYHS. He must have needed his resolve, for some beggars wet the paper with their tears; cf. ALS, Jonathan Lawrence, Jr., Oct. 16, 1789 (8 HLC 982).

43. ALS, Washington to H, Sept. 25, 1789 (8 HLC 984).

44. Duane to H., Sept. 24, 1789, Duane Papers, NYHS.

45. ALS, to H., Oct. 27, 1789 (8 HLC 989).

46. ALS, Witherspoon to H., Nov. 21, 1789 (8 HLC 1001).

47. A century and a half later, (particularly Southern) senators and congressmen cried to heaven against federal appropriations to induce economic revival, but never failed to grasp the shares thought due to their own states and localities.

48. Originals of earlier circulars are in his own hand; for some months these were copied by clerks and signed by him, and later, when system had been established, circulars were printed, the first now found being of Aug. 5, 1791. NYPL has an excellent collection addressed to Jedediah Huntington, collector at New London, and the Treasury has a fuller set.

49. E.g., DS (circular), Oct. 2, 1789: ". . . it is of the greatest moment,

that the best information should be collected for the use of the Government as to the operation of [orders] which may have been adopted." He wanted to be told of substantial complaints of merchants, and asked for opinions, for example, whether multiplication of ports in several of the states conduced to evasion of duties. These were only suggestions, for "It will give me pleasure to find that your observation has been as diffusive as the object is extensive" U.S. Treas. Papers, (NYPL). Another (Nov. 25, 1789) requested "to procure and send me without delay the Revenue Laws of your State in force immediately preceding the act of Congress laying a duty on imports"; if revenue laws could not be extracted, send all the laws. Later he directed that "deviations" from instructions be reported with "the considerations on which they have been founded" (circular, Aug. 5, 1791, *ibid.*). H stood for exactness in financial administration, but knew when to relax rigor. In a private suggestion to a trustworthy collector, he observed: "My own maxims of conduct are not favorable to much discretion, but cases do sometimes occur in which a little may be indispensable. . . . The good will of the Merchants is . . . important . . . and if it can be secured without . . . introducing a looseness of practice, it is desirable to do it. 'Tis impossible for me to define the degree of accommodation which will avoid one extreme or another." (ALS to J. Olney, April 2, 1793, Olney Papers, RIHS: cf. Olney earlier to H: "It appears to me of great Consequence that every breach of the Revenue Laws should be prosecuted and if *wilful*, punished with vigour however powerful the Offenders. . . ." copy, Nov. 29, 1790, *ibid.*) He collected from the customs houses forms of oaths, bonds, certificates, and the like, whether newly prescribed locally, left over from state administration, or of foreign origin. These would enable him "to digest a . . . uniform plan of . . . documents, which will conduce to order[,] facilitate business & give satisfaction" (Treas. circular, signed by H, Sept. 30, 1790, to J. Huntington, U.S. Treas. Papers, NYPL).

50. LS, to J. Huntington, April 10, 1791, NYPL; cf. circular, Dec. 18, 1789; if bonds "are not paid *as they fall due*, they will be immediately put in Suit. . . . the *most exact punctuality* will be . . . indispensable" (*ibid.*) Printed forms for bonds in arrears were distributed Sept. 21, 1791 (*ibid.*).

51. To Huntington, April 10, 1791, U.S. Treas. Papers, NYPL.

52. To Jno. Scott, Chestertown, U.S. Treas. Papers, NYPL. An amusing sequel of this last appears in a letter of a friend to Sedgwick: "In consequence of the Appointment of Mr. Hamilton . . . *Secretary of the Treasury*, the compensation due the Members of Congress has been punctually paid in Specie, of course yours lies subject to your order," and Sedgwick's informant would like to borrow it! (ALS, Dan. Penfield, N.Y., to Sedgwick, Oct. 28, 1789, Sedgwick Papers, MHS).

53. Circular, signed, Oct. 14, 1789, NYPL.

54. Circular, signed, Oct. 20, 1789, NYPL.

55. Circular, signed, Oct. 6, 1789, NYPL.

56. Circular, signed, Oct. 20, 1789, NYPL.

57. Circular, signed, Oct. 31, 1789, NYPL; cf. ALS, Thos. FitzSimmon to H, Nov. 13, 1789, presenting the embarrassment of the Phila. collector (8 HLC 998). In a subsequent circular, Dec. 30, H repeated the caution that claim should be made with all consideration (NYPL).

58. ALS, G. S. Turberville, Jan. 20, 1790, Madison Papers, NYPL.

59. Circular, Oct. 14, 1789, NYPL. As fast as possible, model forms were supplied for collectors' reports. One digested manifests of vessels clearing for foreign ports, and must be submitted quarterly. The object "doubtless was to obtain a knowledge of the Exports of the Country" (ms. circular signed, Oct. 10, 1789, NYPL). Concerning forms for various returns, see circulars of Oct. 2, 20, Dec. 1, 1789; Sept. 30, 1790; for an instance of unintentional irregularities, see Eveleigh, comptroller, to Huntington, March 14, 1790, Treas. Papers, *ibid.* Printer of *N.Y. Jnl. and Weekly Reg.*, Jan. 7, 1790, advertised forms for sale "by . . . quire or single set."

60. Harison (1747-1829) was an able and learned lawyer, much esteemed by Hamilton. He graduated at King's College a decade before Hamilton entered, received the D.C.L. from Oxford. When Hamilton became Sec. of the Treas., Harison took over a part of his practice (see July 14, 1790, to H. Cruger; July 17, 1790, to Mary Miller, Harison Letter Book, 1790 NYHS).

61. Harison to H, Feb. 4, 1791, *ibid.*

62. June 2, 1791, *ibid.* This was the time when vessels owned in N.Y. (e.g., by Wm. Constable and others) were entering largely into the Far Eastern trade.

63. Circular, signed, Oct. 2, 1789. Were any such boats in use under state regulations, "I desire they may be continued and that I may be advised with accuracy of the nature of their establishment." Shortly afterward was formed the "Alexandria [Va.] Association to prevent and detect smuggling and other violations of the revenue laws" (Dec. 24, 1789, in *N.Y. Jnl. and Weekly Reg.*, Jan. 7, 1790).

64. See sections 62-65 of Collection Act of Aug. 4, 1790 (1 *Annals* 2352-3). The Life Saving Service was added to the Revenue Cutter Service in 1871, but after 1878 was separately administered. U.S. Coast Guard established Jan. 28, 1915, replaced the two former organizations. (See Darrel H. Smith and F. W. Powell, *The United States Coast Guard.*)

65. LS, Hamilton to J. Huntington, Nov. 17, 1789, U.S. Treas. Papers NYPL.

66. Until regular revenue boats could be built, he directed that whatever would serve be bought, vouchers being furnished. At Chester (town), Md. an open one should ply in the harbor and short river to see that every ship furnished her manifest. Masters of vessels who remained "several days," as

he had been told, in the mouth of the river, whether they entered or went to sea without entering, were liable to fine under Sec. 11 of the collection law. The collector, if careful investigation warranted, should seize illicitly imported goods brought into his district in wagons (To John Scott, June 3, 1790, NYSL).

67. The vessel to be built at New York would cost that sum, and "be 48 feet keel straight rabbit and 15 beam." Portsmouth was believed to be a cheaper place for this work.

68. To Huntington, New London, Oct. 1, 1790, Jan. 23, 1791, NYPL. However, the New London factory might furnish the duck for the Conn. cutter (to same, Nov. 19, 1790, *ibid.*). His admonition always was "I trust . . . you will take all possible pains to spend the public money with economy." What he said about supplies for the lighthouse at New London (that service also being under the Treasury) is pertinent. Huntington reported he could contract for oil, wick, candles, and soap for \$380 per annum. H observed that the same were had at Plumb Island for \$314, and at Nantucket (but this was a great whaling port) for \$148. Therefore, "You will be pleased to get this business reconsidered, and after duly weighing, the particulars, to make as low a Contract in writing as reason will justify, subject, to the approbation of the President of the United States . . ." (Nov. 19, 1790, *ibid.*). By economy in construction and repair of lighthouses, beacons, buoys, public wharves H did not mean cheapness. See to John McComb, Jr., April 1 (Morristown Hist. Mus.), and R. Harison to H, April 8, 29, 1791 (Harison Letter Book, NYHS), as to Cape Henry Lighthouse McComb was building. H did "not approve of placing the oil vault within the lighthouse," and the dwelling for the keeper, in that exposed situation, should be of stone, not frame, with a cellar, though at additional cost. Incidentally, McComb was later architect-contractor of H's home at Harlem, N.Y. City Hall, "Old Queens" building of Rutgers Univ., Castle Clinton, etc., all still standing.

69. Circular, Sept. 21, LS, to Huntington, Nov. 22, 1791, NYPL. His constant opposition to excessive consumption of spirits was especially appropriate in the case of crews of revenue cutters. The collector at N.Y. had informed him, "the Merchants here are much disgusted, at the additional Duties, which Congress, mean to impose, on Spirituous liquors," so a cutter must prevent smuggling between Hell Gate and Conn. River (ALS, J. Lamb to H, Jan. 7, 1791, 10 HLC 1388-9). One otherwise eligible as a captain was passed over because believed to be intemperate (ALS, Wm. Jackson to H, April 25, 1791, Huntington Library).

70. ALS, Thos. Dwight, Springfield, to Sedgwick, Aug. 3, 1789, Sedgwick Papers, MHS.

71. ALS, S. Henshaw, Northampton, to same, July 28, 1789, *ibid.*

72. ALS to H, July 6, 1794 (22 HLC 3116).

Chapter 3 (Pages 32–56)
Rescue of Public Credit

1. 2 *Life of Washington* (2d ed.) 168.

2. ALS, H. Van Schaack, Jan. 25, 1791, Sedgwick Papers, MHS.

3. See 4 *Hist. Repub.* 45 ff.

4. *Ibid.*, 46.

5. To Jefferson, June 30, 1789 (1 *Writings* [Rives] 480).

6. 4 *Hist. Repub.* 47.

7. ALS, Sept. 15, 1789 (8 HLC 976–9). Walker was commr. of acct for Marine Dept. of Confederation, and at this time was naval officer for Port of N.Y. Adjusting the results of commercial ventures of Congress under Rob't Morris' direction caused the public authorities much trouble and Morris embarrassment at the time when the former Financier might have been of aid to H. "I think my case," Morris told Jas. Duane, "entitles me to the Justice of my Country and . . . if sacrifices are to have any weight I may say I have Claims to its favour. . . ." (LS Jan. 21, 1790, Duane Papers, NYHS).

8. ALS to H, March 1, 1790 (21 Wolcott Papers, CHS); he added a organization of departments for the Bank of U.S. When H broached project of a bank, Tench Coxe sent his anonymous pamphlet published during the contest over the Phila. bank (ALS, to H, March 5, 1789 [8 HLC 1054–6]).

9. See E. A. J. Johnson, *Predecessors of Adam Smith, the Growth of British Economic Thought*, 188, and whole of Chap. X.

10. Vol. I (1774 ed.).

11. P. 163.

12. P. 164. Injudicious financial management could increase burdens on the people without adding to revenue. Hamilton hardly needed the reminder that "the worst way that . . . ever was . . . thought of, is . . . *paying the expenditures by the depreciation of the currency.*" This brought "such an inundation of calamities as are enough to draw tears" (167–8).

13. Pp. 169–70. H must have appreciated the sage observation that "the action consists in comparing, fitting, and balancing so many different things to and with each other, that it cannot be . . . done than by the attentive

of a single mind." Benj. Lincoln understood this wisdom; solicitous for the success of funding, he begged that Congress would not mutilate the Financier's system; in Massachusetts they had mangled every fiscal proposal until no man would own it (ALS to Sedgwick, Feb. 7, 1790, Sedgwick Papers, MHS).

14. Oct. 12, 1789 (9 LHW 462-3).

15. ALS, Madison, Orange (Va.), Nov. 19, 1789, to H, 8 HLC 999-1000.

16. James O. Wettereau, "Letters from Two Business Men to Alexander Hamilton on Federal Fiscal Policy . . ." (3 *Journal of Economic and Business History* [1930-1931] 667-686).

17. See Arthur H. Cole, ed., *Industrial and Commercial Correspondence of Hamilton*.

18. Charles Franklin Dunbar, "Some Precedents Followed by Alexander Hamilton," in *Economic Essays*, ed. O. M. W. Sprague, pp. 71-93. The paper appeared originally in the *Quarterly Journal of Economics*, Oct., 1888. Acquaintance with H's unpublished correspondence, some of it uncollected at that time, would have revealed unsuspected aids. For a more elaborate survey, see Mildred B. Otenasek, *Alexander Hamilton's Financial Policies*, ms. dissertation, Johns Hopkins University Library.

19. See 28 Cobbett's *Parliamentary History* 161.

20. 26 Geo. III, c. 31.

21. 1 Statutes at Large 186 (act of Aug. 12, 1790).

22. H's report repairing this omission was Jan. 23, 1792 (Am. State Papers, 1 Finance 148); act which embodied his plan was May 8, 1792 (1 Stat. at Large 282).

23. 1 Finance 331, note; his reference was to the English act of 1792.

24. See Price's *Observations on the Nature of Civil Liberty . . . and the Justice and Policy of the War with America* (1776), *Additional Observations . . .* (1777); *An Appeal to the Public on the Subject of the National Debt* (1772) and *Observations on Reversionary Payments* (1771). For American invitation to Price, 3 Dipl. Corr. of Rev. 64, and for a spirited account of him, Roland Thomas, *Richard Price . . .* (Oxford Univ. Press, 1924).

25. That Hamilton, with Pitt, perfectly knew growth of the sinking fund could not be a "spontaneous product" is declared by Dunbar; neither of them "had any delusion as to the impossibility of paying debt without money, or any notion that compound interest could be made to supply the place of an adequate revenue. . . ." (*op. cit.*, 88-9; cf. to same effect Wm. G. Sumner, *Alexander Hamilton*, 162).

26. 18 HLC 2464-6, in clerk's hand, supposed for Commrs. of Sinkin Fund. 2467-73 are all in Schuyler's hand, and so endorsed by H. "Mr Gal has algebraically demonstrated That to convert any Stock bearing a give rate of Interest into a new Stock bearing a higher rate of Interest, but subject to a [tender?] for redemption annually equal to the Interest periodically arising the following universal rule prevails, to wit . . ." His reference was to Samuel Gale, *An Essay on the Nature and Principles of Public Credit*, London, 1784, and three succeeding essays, London, 1784, 1786, 1787; Preface of Essay I was dated Charles-Town, S.C., Oct., 1782, and of Essay II, St. Augustine, East-Florida, March 31, 1784 (and Essay II was first printed, privately by John Wells, at St. Augustine). Gale, formerly of Cumberland County, N.Y., was "Acting Itinerant Deputy Paymaster General of H.M. Forces in the Southern Colonies," later lived temporarily at St. Augustine before returning to England. H may have known and been influenced by Gale's work at firsthand, not simply through Schuyler. Gale praised the capacity of a well managed public debt to lower the rate of interest, thus increase the capitals at command for commerce and industry and so enlarge wealth and prosperity. (See Essay II, St. Augustine ed., 3 n 25 n.) He offered corrections of Dr. Price (*ibid.*, Sec. II); explained the virtue of a rapid circulation of money (e.g., Essay I, Sec. VIII); considered "Variations necessary . . . to render [public debts] . . . applicable . . . to the several . . . Conveniences of the different Classes . . . of . . . Public Creditors" (Essay III); and furnished numerous formulas and tables. Under the British debt "became grown out of all reasonable shape," it had been great public benefit. However, Gale opposed interferences with commerce through duties, bounties, prohibitions, etc.

27. He worked out theorems for "Redemption of Debt," using logarithms compared "Denomination of weights by which Gold and Silver is weighed in . . . European Countries and In the United States"; discussed Gale's fourth essay on the nature and principles of public credit; pointed out a discrepancy in "the present value of an annuity of £400 Year to continue Years allowing the purchaser 6 per Cent simple interest," using the rules of Mr. Pike and Mr. Ward (all in Schuyler Papers, Box 38, NYPL). Perhaps Gen. Schuyler thus employed himself when immobilized by his frequent attacks of gout. James Cheetham, the Republican protagonist, looked sharply about him after he came to America, and a decade after the ever-confided, "General Schuyler . . . is known to have aided, if he did not first recommend, the English funding system, which . . . Hamilton, with so little wisdom but much zeal, proposed to congress when secretary of the treasury" (*Nine Letters on Burr's Political Defection* [1803] p. 13).

28. AMH 75; see 74-5 for partial list of books in H's library, including Hume's *Essays*.

29. Dunbar, *op. cit.*, 92; H had similarly eschewed R. R. Livingston's scheme for a "land bank" when the Bank of N.Y. was urged instead.

30. "Caius" (R. R. Livingston?) in Freneau's *National Gazette* called H the copyist of English fiscal expedients. Ministerial sycophants should remember "that the political reputation of their principal is built on . . . an humble and servile imitation of British systems of finance, and all their baneful concomitants of debt funded and unfunded, annuities, chances, lotteries, tontines and schemes from British authors and British statute books, without . . . the merit of originality, and under the miserable . . . policy of engrafting upon the American constitution, healthful, young and vigorous, all the vices and infirmities of the decayed and expiring constitution of Britain" (Feb. 6, 1792; cf. March 5 from *Va. Gaz.*, reply of "A.C." in defense of H, saying Caius should present a better system). Almost a quarter-century later, when Hamilton was dead, a professional detractor charged that all Hamilton did in the Treasury was borrow from the obnoxious precedent of Pitt: "He perused the British Acts of Parliament relative to Loans and the Funding System, and endeavoured to introduce their scrophulus . . . influence into the Republican constitutions of America." (Pasquin, Anthony [John Williams], *Hamiltoniad*, 8n. Williams was judicially declared in his native England, 1797, "a common libeller.") "Any clerk in the treasury could have done all that Mr. Hamilton did. . . ." Apparently there was still another source, for the greater part of Hamilton's funding scheme was "suggested by the late Col. William Duer, who afterwards broke . . . for several million of dollars. . . ." (*ibid.*, 9n., 22n.).

31. 6 *Hist. Repub.* 185. Rept. Mfg.

32. 1 *Annals* 904 (dated Phila., Aug. 21, presented Aug. 28, 1789).

33. *Ibid.*, 792-794 (Aug. 28, 1789).

34. *Ibid.*, 889-890. Appointment and personnel of this committee do not appear in the record.

35. *Ibid.*, 904.

36. *Ibid.*, 934; the President urged advancement of agriculture, commerce, manufactures, especially by encouraging inventions, which project also had lain over from the previous session (1046). He stressed promotion of manufactures to render this country "independent of others for essential, particularly military, supplies."

37. *Ibid.*, 1043-1045 for the discussion. A report in *N.Y. Daily Adv.* threw additional light on the debate. Those wanting Hamilton to deliver the report in person valued his oral explanation of intricate matters which could not be understood otherwise. Reason for postponement was House was too thin to receive report of such "vast importance" but a few days would bring more members (Jan. 11, 1790).

38. A committee of ways and means had been appointed July 24, 1789, but it had to do chiefly with current supplies (1 *Annals* 670-671).

39. E.g., Constable to FitzSimmons, Jan. 1; to R. Morris, Jan. 4, 1790 Letterbook, 1762-90, NYPL; Craigie to Parker, May 8, 1790, 1 Craigie Papers 26, Am. Antiq. Soc.

40. Craigie to Parker, Jan. 12, 1790, 1 Craigie Papers 18, *ibid.*

41. Constable to FitzSimmons, above.

42. Craigie to Parker, above.

43. 1 *Annals* 1056. The few days since Hamilton notified that his report was ready were devoted to routine items, and to making answer to the President's speech; the House promised to turn to the public credit among its first objects (1052).

44. *Ibid.*, 1058; the project of uniformity in the currency, weights, and measures was referred to the Secretary of State.

45. *Ibid.*, 1067-1072. The House deferred any more individual sales (the largest had yielded little or no actual revenue) until a general policy was framed. Sales to aliens were antagonized by several speakers; H was excused from negotiating with one Hannibal W. Dobbins, who wished to bring Irish settlers to 50,000 acres (1061). Of less importance was rejection of suggestion by H that power be given the Treasury to decide on forfeitures in the customs pending a legislative provision; jealousy for the prerogative of the House was expressed (1066-1067), for the nonce disregarding the secretary's point that some administrative discretion was expedient.

46. *Ibid.*, 1094 (Jan. 28, 1790). This day Maclay, implying that in proper advance use had been made of H's report, said "it has been used as the basis of the most abandoned system of speculation ever broached in the country" (*Journal*, 188). The kind of activity of speculators of which Georgia's Jackson complained is succinctly illustrated in a few words from Andrew Craigie (N.Y.?) to Daniel Parker, London, Dec. 13, 1790. Stock were rising fast. "Haskel left here four days ago for Charleston[;] he carried with him 25000 or 30000 Dr^s in Specie" with which to buy state debt (1 Craigie Papers, Am. Antiq. Soc.)

47. See 9 DAB 544-5; Herring and Longacre, 3 *National Portrait Gallery*, 12 pp. A little irony here was that Jackson, coming to Congress, had brought H a letter of introduction from Anthony Wayne; he had led Wayne's van in the 1782 campaign; would H please introduce Jackson to his military and other acquaintances? (draft ALS, April 6, 1789, Wayne Papers, PHS).

48. 1 *Annals* 1093-1095.

49. He said that speculators had descended on remote districts by surprise. Had he known what the secretary contemplated, he could have warned his constituents. The fact was that he was in the bosom of Georgia long after purchasers were busy among Southern holders. As is explained elsewhere in these pages, speculation commenced with promulgation of the Constitu-

tion, and had become intense before Jackson left home. He might have been informed by the forecast of Pennsylvania creditors, which he had heard in Congress the previous summer, and the House had then resolved to support the debt. (Cf. speech of Page, *ibid.*, 1101.) Sherman reminded that "speculations had been carried on to a great extent . . . from the time when the public securities were first issued. . . ." (1096). Two weeks before, when H's report was sent to the House, Maclay recorded, "An extraordinary rise of certificates has been remarked for some time past" (*Journal*, 177).

50. 1 *Annals* 1099–1100. Maclay went further, charging that the report had leaked before it was ever submitted to Congress (*Journal*, 177).

51. 1 *Annals* 1100–1103.

52. State Papers, 1 Finance 15–16.

53. *Ibid.*, 16.

54. 24 JCC 277–283.

55. State Papers, 1 Finance 17.

56. *Ibid.*, 18.

57. *Ibid.*, 19.

58. *Ibid.*, 20.

59. *Ibid.*, 21.

60. *Ibid.*, 23.

61. *Ibid.*, 24.

62. *Ibid.*, 25

63. As an example, the editor of the *Md. Jnl. and Balt. Adv.*, Jan. 26, 1790, promised to publish the first report "when a copy can be obtained"; meantime he printed a shorter and (Jan. 29) a longer summary. Much might be said of the report, but "an anticipation of [the public's] opinion will doubtless fall below the sentiments that will be excited on its appearance." Feb. 2 commenced printing of report and debates. Cf. *Mass. Centinel*, Boston, Jan. 27, Feb. 10, 1790. For a model summary of report, especially the secretary's purposes, see *N.Y. Jnl. and Weekly Reg.*, Jan. 21, 1790; in the few instances in which editor indicated his own opinion he was in accord, e.g., "The idea of discriminating between original creditors, and those by purchase, is reprobated, and every argument in favor of such a plan, in our opinion, is totally exploded." However, when *Pa. Gaz.*, Phila., began publishing report, "A Farmer" charged that Congress if it approved the report and redeemed certificates at their nominal value would "gain a character . . . with . . . Speculators, and British and Dutch Brokers" and lose it with "their army, with the best whigs in the union, and with half the widows

and orphans in the United States" (Jan. 27, 1790). Cf. *ibid.*, Feb. 3 "Customer" upholding speculators, and "Equity" condemning them "Observer" assured that if speculators practiced knavery the judges would punish them; in the meantime the nation should not be distracted from its duty "by a little traffic in public paper" (*Gaz. of U.S.*, NYC, Feb. 10, 1790) Three hundred copies of the first report were printed by order of the House (N.Y., Francis Childs and John Swaine, 51 folio pp.). H's copy is in 8 HLC.

64. A correspondent of Sedgwick confessed the report was "difficult to understand . . . while we are in our infancy in the knowledge of Finance . . . After the first reading . . . I found myself as ignorant as Uncle Toby confessed himself. . . . I understood it 'no more than my horse [.]' My mind was 'like a smoke sack [.]' I however gave it a second and third reading by which means I am gaining ground and I know now more about our national affairs than I ever did before." Thus informed, he considered the public creditors not culpable but meritorious (S. Henshaw, Pittsfield Feb. 7, 1790, Sedgwick Papers, MHS).

Chapter 4 (Pages 57–85) Conflict over Funding

1. 1 *Annals* 1138–39.

2. 2 *ibid.*, 1307.

3. *Ibid.*, 1417–21.

4. *Ibid.*, 1421, 1481–1723.

5. A thoughtful friend of H's proposals was "glad to find that the . . . tontine is struck out . . . it was exceptionable, if . . . only for . . . being unintelligible to $\frac{9}{10}$ ^{ths} of the community" (Transcript, Edw. Carrington to Madison, March 27, 1790, Madison Papers, NYPL).

6. In his original report he offered to submit the bank scheme for the (second) session, but it was not ordered until Aug. 9, to be reported Dec. 1 (1723). The same was true of his revised schedule of duties on distille spirits, to meet the interest on state debts assumed. His report on the Min ordered April 15, 1790 (1530), communicated to the House Jan. 28, 179 (1885), was largely distinct from the subject of public credit.

7. 1 *Annals* 1130–31.

8. *Ibid.*, 1131–38. The date is mistakenly printed as 1789 (p. 1132); the text of the letter is in 19 JCC 402 ff.

9. 1 *Annals* 1138–39; see Smith on sinking fund, 1143.

10. *Ibid.*, 1139–44.

11. *Ibid.*, 1145–47.

12. *Ibid.*, 1149–55.

13. *Ibid.*, 1155 ff.

14. *Ibid.*, 1160–62.

15. *Ibid.*, 1169–70.

16. 2 *ibid.*, 1172–73.

17. *Ibid.*, 1182. Burke, energetic, impetuous, but equally generous, in the course of debate in the House resented what he took for slurs of Hamilton on militia troops and on South Carolinians. Hamilton's allusions were in his eulogium on General Greene the previous July 4th, where he referred to "small fugitive bodies of volunteer militia, the mimicry of soldiership!" and pictured the Carolinians, before rescue by Greene, as ready to lose even the spirit of opposition (8 LHW 69, 70, 79). Burke was trying to pick a personal quarrel. Reminding that Hamilton had called "the Militia . . . the mere mimicry of soldiers [*sic*] . . . on Thursday last Mr. Burke Head over Heels brought in the Assertion that it was false, and called to the Gallery . . . that Col. Hamilton was a Liar. What will be the consequence I do not know. Mr Hamilton's situation is critical. He is a man of Spirit" (LS, Hartley to Yeates, April 4, 1790, Yeates Papers PHS). An angry swap of letters (skin of public men was tissue-thin) in this case, fortunately, led to perfect accommodation through a sort of mixed commission. Each contestant named three friends to review the correspondence; Gerry, King, and James Jackson were of the number. Their solution was simple; they found no difference between the gentlemen, for each had misunderstood the other. Hamilton should write again to Burke, explicitly disavowing any reflections, and Burke should pen an apology to Hamilton for remarks the latter held offensive (Committee [Gerry, etc.] to H, April 6, 1790, Box 1 HLC). Next day the suggested disclaimer and retraction were exchanged to the full satisfaction of both (ALS, Burke to H, April 7, 1790, *ibid.*). We wonder why such friendly mediation was not oftener employed to forestall duels. Where there was an irreconcilable issue the courts could have rendered judgment, instead of the code assessing damages in splintered bones or slug-pierced organs. Our constitutional fathers were struggling to organize government for the people, but, where private honor was thought to be touched, they embraced the polity of paleolithic men.

18. 2 *Annals* 1182–91, 1197–1205.

19. 2 *Annals* 1191–96. Ironically, Madison was viewed by speculators as a benefactor. "I hope that Mr. Maddison's proposition for Discrimination will have an effect in lowering your market & alarming so that People may

. . . sell at reasonable rates on time—try if you can not do something” (Constable to G. Cottringer, Feb. 13, 1790). On the same day to Benj. Harrison, Jr.: “Finals & Indents have fallen here in Consequence of doubts . . . of the adoption of Mr. Hamilton’s plan. Mr Maddison has contributed not a little by his proposition; for my own part I am not afraid but all will go right,” and he wished himself able to “purchase deeply.” A fortnight later he ordered his agent to buy £12,000 of South Carolina debt at 3s. 4d. and expected to clear 50 per cent within six months (Feb. 28, 1790, to Alex. Ellice, Constable Letterbook, NYPL).

One argument employed to favor a discrimination in payment of the debt was that our resources would flow to foreigners who had obtained the securities at low prices. “Observer” in the *Pa. Gazette* scouted a recent estimate that $\frac{5}{8}$ of the national debt was owned abroad. He cited the secretary’s report that the registered debt was only $\frac{1}{8}$ of the total, and declared that within a few months only \$3,000,000 of the registered, or $\frac{1}{4}$ of the domestic debt, was registered to foreigners. He seconded the Secretary’s argument that lands, which had fallen since the Revolution by $\frac{1}{8}$ or more, would tend to be restored in value by the greater plenty of money which the funding system would encourage (March 10, 1790). Cf. ALS, Thos. Dwight to Sedgwick, March 27, 1790, “Our farmers begin to acknowledge the increase of money among us in some small degree,” but would not attribute it to the support of public credit (Sedgwick Papers, MHS).

“Foreigner” (but probably not so) reminded Madison that in 1783 the latter promised that U.S. would honor the domestic debt by whomever held. Dutch bankers had relied on this and distributed “actions” to little people in Holland. America’s reputation must be damaged in Europe if Madison’s present resolution for discrimination prevailed (AL, Feb. 17, 1790, Madison Papers, NYPL). A remonstrance that came closer to Madison was from Edward Carrington of Richmond a few days later. He was grateful for H’s report, though it included “many principles . . . new to the finances of this Country.” The excise would be fair and beneficial. In spite of all Madison’s arguments, “I cannot see the justice or good policy of a discrimination of any kind.” Such a measure would injure the public credit, most to be protected. “After one instance of a discrimination, since you are still to give out paper, is it not to be expected that a depreciation will take place upon an apprehension that the same thing will be done again?” Original holders who had parted with their paper had “from necessity now betaken themselves to useful employments—let it . . . be announced that a resettlement is to be had with them, they will quit their employments in quest of it” (transcript, March 2, 1790, Madison Papers, NYPL). Madison replied (ALS, March 14, 1790, Emmet 9377, NYPL) in a little “dissertation” with the summary, “there must be something wrong, radically & morally & politically wrong, in a system which transfers the reward from those who paid the most valuable of all considerations, to those who scarcely paid any consideration at all.” “An Original Holder” showed at length, by supposed conditions of sale and resale, that discrimination was impracticable (*N.Y. Daily Adv.*, Feb. 18, 1790). *N.Y. Jnl. and Weekly Reg.*,

same date, quoted Sedgwick in debate against Madison: if attempt were made to trace original holders, "it would require whole ages to rectify the frauds which would be practiced."

20. 2 *Annals* 1196-97, 1205-23.

21. Charles Francis Adams, a good judge, was far from saying that H's Treasury plans were devised for "commercial and moneyed interests," but that these were the first to feel the confidence that "acted like magic upon industry," "at once rallied to Mr. Hamilton as their benefactor, and they never deserted him afterwards. A new power arose, that of the fund-holders, the rapid increase of which inspired Mr. Jefferson with alarm and a determination to resist it." But this opposition would have availed little without the aid to Jefferson of the "moral earthquake" of the French Revolution (1 *Works of J. Adams*, 452).

22. 2 *Annals* 1223-43.

23. *Ibid.*, 1242-71.

24. See Page's statement, *ibid.*, 1296-97: "Where is the breach of faith in Government, if it paid its whole debt with justice blended with mercy? . . . is not the sum now proposed more than either the first or last holder, till within these few days, supposed would be paid him?"

25. *Ibid.*, 1298.

26. *Ibid.*, 1299, 1307.

27. Technically, Livermore put the Constitution into effect, for his vote broke the tie in the New Hampshire ratifying convention; see E. S. Stackpole, 2 *Hist. of N.H.* 102 *passim*, esp. 285-6, and for portrait by Trumbull, Geo. Hodges, *Holderness*. Craigie, during the debates, with the most practical eye, wrote his colleague in London, assumption is "the most important part of the plan" (to D. Parker, Feb. 21, 1790, 1 Craigie Papers 22, Am. Antiq. Soc.). Callender years later, heaping contumely on H, rehearsed the demerits of the funding system: ". . . as the universal . . . hatred which the formation of this mass [of debt] had excited, might, at some future period, endanger its existence, the assumption act, was brought forward. . . . each [state] became, for its own sake, interested in the support of public credit. . . . Thus the . . . funds were inseparably embodied with a powerful popular ally, under the shelter of whose reputation they might hope for . . . longevity. . . . The bank of the United States was another buttress raised to prop the rampart of corruption" (*History of U.S. for 1796*, p. 225).

28. 2 *Annals* 1292.

29. Affairs of state were familiar allusions to our forefathers. N. W. Appleton informed Noah Webster, "The Measles are not yet in our Family," though his nephew "was broke out with them this day," and went on with

the observation, "Our *Patriots* are not yet ready . . . for assumption of the State debts. . . ." (ALS, Feb. 7, 1790, N. Webster Papers, NYPL.)

30. 2 *Annals* 1307-32.

31. *Ibid.*, 1338-60.

32. Cf. Moore, 1347-8; Page, 1355.

33. Cf. 2 *Annals* 1233, reference by FitzSimmons, Stone, 1331, and Madison, 1339. It has been strongly hinted by Joseph Charles, *Origins of American Party System*, that this was the cunning design of Hamilton and of those who supported his funding system. One is provoked to say that if we are to judge not of the utility of Hamilton's proposals, but of his good faith as a statesman, then indeed is there call for a moralist, not a biographer.

34. Cf. Gerry, 2 *Annals* 1325, and White, 1345.

35. Cf. Smith of S.C., *ibid.*, 1233. We do not know whether Hamilton agreed with Schuyler, in mid-May, that appearances in the House were unfriendly to assumption. However, the South Carolinians were determined to have assumption; they would consent to removal of the capital from New York only in exchange for being relieved of their debt (ALS, to Stephen Van Rensselaer, May 16, 1790, NYSL). Ten days later, Madison wrote his brother that the project of assumption was revived and would be on the boards for some time. "I hope we shall be able to defeat it, but the advocates for it are inconceivably persevering as well as formidable in point of numbers." The bill for funding would pass "in substance as reported by the Secretary of the Treasury" (May 27, 1790, Madison Papers, NYPL).

36. 2 *Annals* 1377 ff.

37. *Ibid.*, 1379, 1382.

38. *Ibid.*, 1377-78.

39. *Ibid.*, 1384.

40. *Ibid.*, 1385, 1392-93.

41. Gerry, though he had originally opposed a single Treasury head, gave Hamilton particular support (*ibid.*, 1403, 1412).

42. *Ibid.*, 1395-1405.

43. *Ibid.*, 1408.

44. *Ibid.*, 1408-13; *Annals* are mistaken in noting that the report is in the Appendix; it is in Am. State Papers, 1 Finance 43-44.

45. 2 *Annals* 1417-21.

46. *Ibid.*, 1421-42.

47. *Ibid.*, 1448.

48. *Ibid.*, 1479.

49. *Ibid.*, 1451-74.

50. *Ibid.*, 1478-81.

51. *Ibid.*, 1481-1519.

52. *Ibid.*, 1523-26.

53. *Ibid.*, 1536-37, 1543.

54. *Ibid.*, 1526.

55. *Ibid.*, 1531.

56. *Ibid.*, 1532-33.

57. *Ibid.*, 1534-43.

58. *Ibid.*, 1545-48.

59. *Ibid.*, 1546, 1548.

60. *Ibid.*, 1585-86.

61. State Papers, 1 Finance 18.

62. *Ibid.*, 19.

63. 2 *Annals* 1586.

64. 2 *Annals* 1543-44.

65. *Ibid.*, 1592-1616.

66. *Ibid.*, 1622-23.

67. *Ibid.*, 1636.

68. *Ibid.*, 1644.

69. *Ibid.*, 1654.

70. 1 *Annals* 1002.

71. 2 *Annals* 1672.

72. Seney of Maryland, *ibid.*, 1665; Tucker of S.C., 1675.

73. *Ibid.*, 1663, 1673, 1675.

74. *Ibid.*, 1661, 1663; cf. Vining, 1668.

75. 2 *Annals* 1679-80.

76. The House was notified of this July 21, 1790 (2 *Annals* 1685). The Senate had received the House bill, of course with no provision for as-

sumption, June 2 (1 *ibid.* 982); June 11 it was referred to a committee; Ellsworth, the chairman, on the 14th, "instead of the bill proposed" by the House, resolved for assumption of "the certificates issued by the . . . States for services or supplies towards the prosecution of the . . . war" (*ibid.*, 988). July 2 this proposition was referred to another special committee, Charles Carroll of Carrollton, chairman (1003). Carroll reported favorably on assumption; the Senate's whole bill was ordered printed, and was presented July 13 (*ibid.*, 1005-08). It was on Hamilton's model; the maximum value of certificates of each state to be assumed was in most cases more generous than in the scheme offered by Sherman in the House in April (2 *ibid.* 1533). After various amendments, it was agreed, 15 to 11, "that the resolutions for the assumption be added to the funding bill, and the whole made one system" (1 *ibid.* 1012). The final vote on the House bill as amended in the Senate was 14 to 12. All the senators for the bill were from Delaware northward, except for the two South Carolinians Butler and Izard. All those against were from Delaware southward except for both senators from Rhode Island and one each from Pennsylvania (Maclay, who was violently opposed to funding) and New Hampshire (1016). The Senate committees that had the bill in charge were composed mostly of friends of assumption; the three chairmen were Ellsworth, Carroll, and Butler.

77. 2 *Annals* 1686-95.

78. *Ibid.*, 1695-1702. Gallatin objected that the U.S. by deferring assumption until all accounts had been settled between the states would have saved half the money. Geo. Bancroft observed, "but the increased wealth of the country which took place immediately on the assumption of the debts counterbalanced that. The debts assumed rose to par . . . and formed a . . . trusty foundation on which the commerce of the country was set agoing on the largest scale." Bancroft further justified assumption on grounds of federal taxing power and unity which it encouraged (MS. Papers Relating to Administration of Washington, NYPL). Wolcott, especially competent in such problems, worked out the method of adjusting accounts between the states and assuming the debts of the states. The nub of it is worth giving: ". . . the particular States, must be considered as *Creditors* to the *United States*, for all . . . sums . . . they have expended for the common defence, or paid into the general Treasury, *above the proportions of the aggregate of the sums actually expended, or advanced.* . . . Credit the particular States, for all payments & advances made by them according to some liberal & equitable scale & . . . consider the whole Credits as forming the aggregate of a Loan to the United States. To these Credits all advances from the general Treasury & all debts of the States, which may be assumed by the Union ought to be opposed. The result would be that balances would appear in favour of each of the States which wd be subject to a charge for their several equitable proportions of the common expence. To ascertain these proportions will be a work of great difficulty" (draft ALS, to H, Nov. 29, 1789 [21 Wolcott Papers, CHS]). Final Report of Commrs. on State Debts, June 29, 1792, showing balances due to and from the several states is in

20 HLC 2698–2700, and Am. State Papers, 1 Misc. 69. All is spelled out except for method of apportionment. H endorsed it simply “View of Accounts of Commissioners.” This was the end of a long road.

79. 2 *Annals* 1702–11.

80. *Ibid.*, 1711–12.

81. *Ibid.*, 1714–17. Fenno, pretending he was a correspondent, exulted that by assumption “the monster with thirteen heads receives his death wound, and all the stings of faction are drawn. . . the machinations of State demagogues to divert the people from a steady pursuit of their best interests will prove in vain” (*Gaz. of U.S.*, July 28, 1790). But a critic said the funding bill was based “on the dejected idea of our national poverty and imbecility,” but now the secretary was reporting a surplus of a million dollars after paying civil list and interest. “With the false plea of . . . poverty . . . the government has . . . done an act of despotism, which would have intimidated the courage of the *Divan*” (*N.Y. Jnl. and Weekly Reg.*, Sept. 3, 1790).

82. 6 *Writings* (Ford ed.) 172–4; 1 *Writings* (Monticello ed.) 272 ff.

83. 8 *Writings* (Monticello) 35–6.

84. *Ibid.*, 42–4; see similarly June 23 to Dumas (47–8) and more precisely June 27, 1790, to Dr. Gilmer (52–3). A Mass. man feared sectional contest would “end in *disjunction* and all the horrors of Civil War” (ALS, Thos. Dwight to Sedgwick, June 24, 1790, Sedgwick Papers, MHS).

85. Monroe Papers, NYPL.

86. To T. M. Randolph, 8 *Writings* (Monticello) 88–9.

87. *Pa. Mercury*, quoted in *N.Y. Jnl. and Weekly Reg.*, June 29, 1790.

88. To D. Parker, London, July 10 (two letters), 1790, Craigie Papers, Am. Antiq. Soc.

89. 1 *Writings* (Monticello) 265 ff.

90. Sept. 9, 1792 (6 *Writings* [Ford] 102).

91. See, e.g., to Edward Rutledge, July 4, and to Dr. Gilmer, July 25, 1790, 8 *Writings* (Monticello) 61, 64. For Gallatin’s statement, much more detailed, see *Sketch of the Finances* (1796), 107 ff.

92. To Gilmer, above; to T. M. Randolph, Aug. 14, 1790, *ibid.*, 89.

93. Precisely because they could talk together we have no letters between them at this time. Madison (March 21, 1790) wrote Edmund Randolph his worry lest assumption pass, and added his anxiety that Jefferson’s arrival was delayed by bad roads (6 *Writings* [Hunt] 8 n.). Cf. for preoccupation

with assumption which he must have communicated to Jefferson, to Edmund Pendleton, April 4, 1790 (*ibid.*, 9 n.). Not only Jefferson's migraine, but their joint political headache must have been topic of conversation (cf. to Monroe, June 1, 1790, *ibid.*, 14 n.).

94. To Monroe, June 20, 1790, *ibid.*, 42-4.

95. To Rutledge, above.

96. If as Jefferson protested long afterwards, "I [had] not . . . yet informed myself on the system of finances adopted," this was not for lack of care by Madison. The latter wrote him at Monticello (Jan. 24, 1790) that H's report on public credit, just off the press, was too bulky to post entire. "I will by the next mail commence a transmission in fractions. . . . You will find a sketch of the plan in one of the newspapers herewith enclosed." And he inveighed against the cupidity of speculators (5 *Writings* [Hunt] 434-5).

97. Of the studies of Jefferson canvassed for treatment of the bargain, that of Nathan Schachner (*Thomas Jefferson, A Biography*, 2 vols., 1951) is distinguished for saying accurately, "It is . . . impossible, in the light of [his] letters . . . to accept Jefferson's naïve innocence and strangeness to the scene as the explanation of his famous negotiation with Hamilton" (I, 400). To the attentive reader, excuses and evasions of many are self-refuting.

98. The congressional debates down to the time of settlement show the Southern fervor, especially that of Madison. Also, cf. Alex. White to Madison, Aug. 9; Madison to Washington, Nov. 20, 1789 (5 *Writings* [Hunt.] 419 n., 426, 428). However, Madison was tolerably reconciled to assumption on other grounds, as was Jefferson. He wrote to his father: "The assumption was carried by a small majority. Many who voted for it did so on a supposition that it was a lesser evil than to risk . . . a very unfavorable issue to the Session from a contrary decision. . . ." Also, "in a pecuniary light, the assumption is no longer of much consequence to Virginia, the sum allotted to her being about her proportion of the whole. . . ." (To Jas. Madison, Sr., June 31, 1790 [6 *ibid.*, 19]).

Chapter 5 (Pages 86-108)

Handmaiden of the Treasury

1. American State Papers (hereafter State Papers) 1 Finance 67.

2. *Ibid.* H drew the charter of the Bank of New York, recruited support for it, sat on the board of directors until 1788 (see Vol. I of the present

work, 351–355). For progress of bill for charter for Bank of N.Y., see *Jnl. N.Y. Assembly*, 14th sess., various dates, Feb. 9–March 21, 1791, pp. 53 ff. Text of act is in *Laws of State of New-York*, 14th sess., 25. Immediately thereafter, March 24, Treasurer of New York was authorized to subscribe to capital of Bank of U.S. (*Jnl. ibid.*, 127), so H had two fulfillments at once.

3. It is about the length, some 18,000 words, of the two nearest it in time, but only two-thirds as long as the others, omitting the descriptive part of that on manufactures. What is apparently H's first draft of the Report on a National Bank is in 9 HLC 1200–27. It omits formal opening, is corrected, and, as nearly as can be made out from changes of pen, ink, and paper was written at more than a dozen different times.

4. As illustration of how H employed state banks before the Bank of U.S. was established, in paying interest on the public debt, see LS, Feb. 14, 1791, to Jabez Bowen, Providence, NYSL.

5. This discussion was patently influenced by Smith's *Wealth of Nations*, Book II, Chap. II.

6. State Papers, 1 Finance 68.

7. *Ibid.*, 69–70.

8. State Papers, 1 Finance 70–71.

9. *Ibid.*, 71.

10. *Ibid.*, 72–73.

11. H did not intend the speedy opening of branches of the bank. He thought the decision of the directors to place a branch at Richmond was hasty; it was taken without expected consultation with him. Cf. ALS, H to Edw. Carrington, July 25, 1792, Hamilton Papers, NYPL. Carrington, in response to Madison's request, advised in favor of the constitutionality of a national bank, saw positive advantages, to remote districts, in having it located in Philadelphia or New York. His misgiving was at the large proportion of its capital represented by public securities, which might in an emergency sink disastrously in value (Feb. 2, 26, April 20, July 15, Sept. 21, 1791, Madison Papers, NYPL). Fisher Ames, knowing that Hamilton was "as much an unitarian in politics" as he, urged that the Bank of the United States should absorb the state banks or encourage them to expire. He gave a remarkable forecast of the "torrent of paper money as baleful as a pestilence" which, left unmonitored, they would pour forth a generation later. "The scramble of rival Banks," he saw, must "sharpen the acrimony of party humours, which at this moment are dulcified by the cream of speculation" (ALS, Aug. 15, 1791, 10 Wolcott Papers, CHS). He argued from the behavior of the Massachusetts Bank, and soon introduced Christopher Gore who would discuss the local situation with H (ALS, Sep. 8, 1791, *ibid.*).

12. State Papers, 1 Finance 73–74.

13. Owing to submission of "the Secretary's plan of Establishing a national Bank taking a portion of the Debt as part of the Capital," stocks rose rapidly, especially the 6 per cents. Speculators who had sent quantities of the latter for sale in London feared they would be parted with at 10*s.* when they were worth in N.Y. 13*s.* 4*d.* (Dec. 15). Within days, due to Treasury purchases, the funded 6 per cents were at 15*s.* 10*d.*, promptly rose to 16*s.* 8*d.* and were still going up. If Gouv. Morris had not sold \$47,000 in securities sent him, he must "endeavour to hold on" (Dec. 19). A few days earlier, securities sold to fit out a vessel for Bombay and Canton had appreciated in value some \$7,000. (See Constable to R. Morris, Dec. 15, to G. Morris Dec. 17, 19, 1790, Letterbook, NYPL; *Gaz. of U.S.*, Dec. 18, 1790.)

14. State Papers, 1 Finance 74-76. On the last point, Hamilton a few years before, after first favoring the project of a rival bank in Philadelphia, preferred union of the two.

15. 2 *Annals* 1738, 1739, 1741, 1745-1748.

16. State Papers, 1 Finance, 66, 67; 2 *Annals* 1800.

17. 2 *Annals* 1800, 1873, 1875, 1891.

18. *Ibid.*, 1886.

19. *Ibid.*, 1884; the vote, mainly north against south, was 35 to 21.

20. *Ibid.*, 1798.

21. 2 *Annals* 1891-94.

22. In this part of his speech Madison relied on *Wealth of Nations*, Book II, Chap. II, especially (ed. Phila., 1789, Dobson) pp. 362 ff. H, in his report, had preferred to apply Smith's conclusion to America, thus: "When paper is substituted in the room of gold and silver money, the quantity of the materials, tools, and maintenance which the whole circulating capital can supply, may be increased by the whole value of gold and silver which used to be employed in purchasing them. The whole value of the great wheel of circulation and distribution, is added to the goods which are circulated . . . by means of it" (p. 366).

23. 2 *Annals* 1894-1902.

24. *Ibid.*, 1903-09.

25. *Ibid.*, 1910-16.

26. Cf. on potency of corporations in Europe, Madison in 2 *Annals* 1956-57.

27. 2 *Annals* 1916-36.

28. *Ibid.*, 1944-45, 1950.

29. 2 *Annals* 1956–60.

30. *Ibid.*, 1960, 1967–68, 1971–72; I U.S. Laws 295–296.

31. Washington to H, Feb. 16, 1791 (10 Wolcott Papers, CHS, printed in 4 JCHW 103).

32. [Feb. 21, 1791] JCHW *ibid.*, 103–4.

33. Feb. 23, 1791, *ibid.*, 104.

34. “Her daughter interrupted . . . by saying, ‘We’ll have some punch and wine.’ The old lady, getting up, took hold of my hand and said, ‘So we will!’ but the daughter would not permit her, to my vexation” (Carrol Perry, *A Professor of Life*, 78–9).

35. 3 LHW 446, 449, 454, 471, 472. He repeated this several times in different words; thus, “The proposition relied upon is, that the *specified powers of Congress* are in their nature *sovereign*; that it is incident to sovereign power to erect corporations, and that therefore Congress have a right, within the *sphere* and in *relation* to the *objects of their power*, to *erect corporations*” (466). One finds the doctrine of implied powers in embryo in notes Hamilton made on various constitutional authorities of the federal government; e.g., “creation of districts & ports,” “Power to borrow money,” “Fund by way of security: the Fund may be vested in lenders & they may be made a Corporation[,] Institute a lottery.” “To erect trading Companies.” “To exert an Owner[ship] over Territory & institute a Government therein . . . The disposal and regulation of money is the final cause for raising it” (undated, 18 HLC, 2454–55). H carried through on his projects, facilitating their adoption by preparing every feature, if possible, in advance. See, e.g., 4 pp. all in his hand except a little at the end, apparently first draft of bill for incorporating subscribers to Bank of U.S. (15 HLC 2007–09).

36. See 3 LHW 446, 495 footnotes.

37. 2 *Annals* 1911; Feb. 4, 1791. Several salient features of Sedgwick’s speech reappeared in Hamilton’s opinion given to President Washington. Of course, in attributing priority it must be remembered that perhaps Hamilton coached Sedgwick and others, like Ames, who defended the bank on similar grounds; cf. Ames, *ibid.*, 1906 (Feb. 3, 1791), and Boudinot, *ibid.*, 1925 (Feb. 4, 1791).

38. Cf. Stone: “Is there any difference in effect between lodging general powers in a Government, and permitting the exercise of them by subtle constructions? He said there was a difference. In the one case the people fairly gave up their liberty, and stood prepared; in the other, they were unexpectedly tricked out of their Constitution” (2 *Annals* 1932). Giles charged that the doctrine of implied powers “would justify the assumption of any given authority whatever. . . . any measure may be proved Constitu-

tional which Congress may judge to be useful" (*ibid.*, 1941). Madison fancied that if it could incorporate a bank, "Congress might even establish religious teachers in every parish, and pay them out of the Treasury of the United States. . . ." (*ibid.*, 1897). For H's refutation, 3 LHW 467.

39. 3 LHW 449-455.

40. 3 LHW 456-471.

41. *Ibid.*, 451.

42. 3 LHW 473-489; cf. on fiscal powers Lawrence in 2 *Annals* 1914-15. Am. Art Assn. catalogue of J. Percy Sabin sale, April 30, 1936, described autograph opinion of H, Feb. 23, 1791, 61 folio pp., 12,000 words, signature missing, on constitutionality of Bank of U.S. 11 HLC 1402-25 is a draft, heavily revised, 49 pp. with last 10 pp. of printed version in 4 JCHW missing. *Ibid.*, 1426-43, 1444-72 are fair copies in clerks' hands. By contrast with H's argument for the Bank of U.S. and its constitutionality, cf. ALSs, Andrew Jackson to Jas. A. Hamilton, Dec. 19, 1829, June 3, 1830, justifying his message attacking the second bank ("Hydra of corruption") and broaching his plan for a different institution, probably limited to deposit without discount privilege (NYPL).

43. LS, Aug. 27, 1791 to George Picket *et al.*, Richmond, HLC box 1.

44. ALS, July 10, 1791, Monroe Papers, NYPL. An eager subscriber to bank stock, who regretted that not enough had been allotted to him and his friends, said "the subscription filled within 2 Hours"; a few days later scrip that cost \$25 was selling at \$50 and the shares at \$430 (Wm. Constable to Thos. FitzSimmons, July 16, 1791, Letterbook, NYPL).

45. H's zeal for providing banking facilities was to produce for him an embarrassment which critics of his Treasury policy knew not of. Seton, cashier of the Bank of New York, who had previously feared a drain from the New York branch of the Bank of the United States, at the end of 1792 was distressed. Every day showed that the branch "has such an advantage in its operations over us, that if pusht too far, might be attended with fatal consequences, their circulation is so great and the reception of their paper so universal, that no one has occasion to drain them of Specie[.] our Circ^{la} is so limited, confined mainly to the City to pay Duties & discharge Notes in the Branch, the whole almost centers in their hands, and upon every exchange of Bank Notes which we make three times a week, the balance is eternally very large in their favour; we have . . . been obliged to pay them immense Sums in specie. . . ." The Bank of New York had seen its stock of coin reduced from \$600,000 to \$200,000, which cramped its ability to discount. Seton recalled vividly H's warning that if the contest between them became severe, the branch must in the end predominate. But he begged that H would prevent the local bank from being drawn on for the Treasury's balance in this emergency "& save us from the depredations of the Branch

if possible" (ALS, Seton to H, Dec. 20, 1792 [18 HLC 2438-9]). Hamilton immediately helped by directing that the Bank of N.Y., in buying stock for the public, draw on government deposits with the branch (LS, H to Jonathan Burrall, Dec. 22, 1792, Morristown Hist. Mus.).

46. The same compulsion toward consent showed itself in Japan in the middle of the next century when the country was to be industrialized and Westernized, and also in Russia following the Bolshevik Revolution of 1917, where coercive features soon appeared. A like spirit, more diffused, was manifest in the Southern states of America after Reconstruction, when development of manufactures became the cry.

47. Joseph Charles, *Origins of American Party System*, 11-12.

48. Charles, *op. cit.*, 15, saying that 29 members of the House "who owned securities" must convince only 4 of the "unorganized remainder" to have a majority of the 64; and that the speeches of leading supporters were windy declamation, without effect on the outcome.

Chapter 6 (Pages 109-122)

Pro Vita Sua

1. 6 JCHW 636-51.

2. 8 LHW 429-92, 9 *ibid.* 3-34.

3. Neither is dated in the manuscript, nor seems to have been printed at the time; the second is not in JCHW. The dates of both are assigned from internal evidence, clearest in the latter instance because he referred to having left office and to the Jay treaty. The original ms. of "The Vindication," parts I-IV, is in 16 HLC 2179-96, a portion of Part II in two drafts. As frequently in writing argumentative pieces, he left numerous blanks for dates and figures to be filled in. H's retrospective "Defence" must have been written at Albany in the late winter or early spring of 1795, between leaving the Treasury and resuming law practice in New York. It was evidently intended as a record rather than as an argument in a current controversy. Gaps were to be filled by dates and figures noted on two sheets of queries, and he was to supply "The substance of the argument for a discrimination." All in H's hand, 27 HLC 3729-73; H was at Albany as late as April 24 when a letter was forwarded, 24 *ibid.* 3304. Among points to be supplied were: "What was the lowest price of certificates at any time?" "Date of the Resolution 40 to 1." "How much did the Western Insurrection cost?" Edward Jones, a Treasury clerk, sent H at Albany a parcel of "Finance Papers" he wanted (ALS, to H, March 30, 1795, 24

ibid. 3311A). Nourse (March 30, April 1) sent materials H had requested March 18 (*ibid.*, 3312-13, 3317-19).

4. E.g., his praise of British Exchequer, 8 LHW 462-3.

5. 8 LHW 437.

6. *Ibid.*, 469.

7. *Ibid.*, 469, 473.

8. *Economic Interpretation of the Constitution*.

9. 8 LHW 472.

10. *Ibid.*, 439 ff., 445.

11. See 8 LHW 477 ff., 9 *ibid.* 5 ff. How restlessly H supported his policies is evident in minor defenses he drew up as occasion offered in addition to his lengthier arguments. Some in his autograph survive in his papers as fragments, never finished. One, plainly intended for a newspaper rejoinder, real or pretended, but not found in print, gives salient advantages of the funding. A "correspondent" abused this system "as if it were *criminal* in a Government to *provide for the payment of the Debts of the Nation* or as if it had *created* the debt for which it *but* provides. . . ." Funded debt increased "*active or negotiable capital*" to extend commerce, industry, and raise the value of lands. An unforeseen benefit was that Europeans who had acquired our funds were immigrating and—what was otherwise difficult—brought their property with them, augmenting our citizens and our capital. This diminished the complaint that our debt was draining off to foreigners (draft, 1791?, 14 HLC 1922). Several years later, when preparing his final formal justification of his Treasury policies, he countered an attack in Massachusetts on assumption of state debts. "In the theory of the plan, tis impossible there can be an increase of debt; for the sum assumed for each state was charged to that state in the settlement of accounts, and served to diminish the balance of some states and increase that of others proportionately so that if the ballances owing from debtor states are collected all must be as to the quantum of debt, exactly ballanced" (ALS, Albany, April 1, 1795, to H. Van Schaack, 24 HLC 3317). For information supplied by friends on reduction of state debts, see Carrington, July 15, Lincoln, 24, 1795, to H, 24 HLC 3394, 3409.

12. For latter, State Papers 1, Finance 43-4, and for previous debate on taxes on spirits, 2 *Annals* 1395 ff.; the bill for substituting new duties on foreign spirits imported was rejected June 21, 1790 (*ibid.*, 1700).

13. State Papers, 1 Finance 64-5. Actually, on imported spirits he now proposed increases of 8 to 15 cents per gallon in the duties of the Act of Aug. 10, 1790 (2 *Annals* 2359), making the rates 20 to 40 cents.

14. State Papers, 1 Finance 65.

15. After adopting H's rates, as approved by Committee of the Whole, the House appointed a committee (Sedgwick, chm.) to bring in a bill (Dec. 27, 1790 [2 *Annals* 1875-6]), which undoubtedly H supplied. It is a prime illustration of his capacity for detail and for administrative procedure, as well as for over-all policy; see the act, conveniently found in *ibid.*, 2384-2405.

16. State Papers, 1 Finance 65-7.

17. Of course some of H's proposals were in the air before he submitted his first report. "Observer" (*N.Y. Daily Adv.*, Jan. 11, 1790) approved an excise on wines and spirits of every kind; he deplored states' use of this tax as "anti-national" and leading to contention where uniformity was desirable. See *ibid.*, Jan. 22, 1790, predicting assumption of debts of states "to systematize their treasuries."

18. *Nat. Gaz.*, Jan. 19, 1793.

19. This was in spite of the fact that a few days after H's report was submitted, the Virginia legislature (Dec. 23, 1790) forwarded to Congress a severe censure of the assumption act which entailed the taxes now called for. The law now to be rendered operative would prostrate agriculture at the feet of commerce, or change the form of federal government; either evil was "fatal to the existence of American liberty" (State Papers, 1 Finance 90-91).

20. 2 *Annals* 1890-1934.

21. *Ibid.*, 1885.

22. *Ibid.*, 1890-91.

23. *Ibid.*, 1891-94.

24. *Ibid.*, 1895-1900.

25. E.g., Jackson, *ibid.*, 1891; Parker, 1892.

26. E.g., Sedgwick, *ibid.*, 1897; FitzSimmons, 1900.

27. State Papers, 1 Finance 82-88.

28. *Ibid.*, 89.

29. 2 *Annals* 1893, 1901.

30. *Ibid.*, 1905-07, 1918-19.

31. *Ibid.*, 1919 ff.

32. *Ibid.*, 1929-34.

33. *Ibid.*, 1814, 2405. "The excise law," declared Jefferson, "is an infernal one. The first error was to admit it by the Constitution; the second,

to act on that admission; the third . . . will be, to make it the instrument of dismembering the Union. . . ." (to Madison, Dec. 28, 1794 [9 *Writings*, Monticello ed., 295]).

34. 2 *Annals* 1934; for text, State Papers, 1 Finance 91-100. When the House had referred H's report, Feb. 7, Senate appointed a committee of R. Morris, Izard, King, Monroe, Schuyler (*ibid.*, 1797) which reported March 1 (*ibid.*, 1816).

35. April 15, 1790, (2 *Annals* 1582).

36. 10 HLC 1341-63, 1364-86.

37. *Ibid.*, 1331-38.

38. H asked and received from his brother-in-law a report of the assay master of the English mint on the standard and weight of Spanish dollars (ALS, J. B. Church, London, Aug. 2, 1791, to H, 11 HLC 1544). Some at least of H's materials and work sheets for the mint report are in 9 HLC 1174 (letter of T. Coxe, Nov. 15, 1790, showing his help), 1178 (LS, Dec. 7, 1790, Tench Francis of Bank of North America giving weight of Spanish dollars); Vol. 10, p. 1231 (another of Coxe, Dec. 31, 1789, but must be 1790); *ibid.*, 1267-79, with allusions to French and German works, and calculations made by Schuyler (10 *ibid.*). A sketch for the mint building shows five small rooms, the largest 12 by 12 feet, not communicating with each other (*ibid.*, 1280).

39. 29 JCC 499-500.

40. 30 JCC 162-82 (report by Bd. of Treasury, April 12, 1786); 31 *ibid.* 876-78 (ordinance of Oct. 16, 1786), passed in accordance with report.

41. The chief were Isaac Newton, *Table of Assays, Weights, and Values of Most Foreign Silver and Gold Coins* (London, 1740), and Jürgen Elert Kruse, *Allgemeiner und Besonders Hamburgischer Contorist* (Hamburg, 1771-72). These and six others are listed in the illuminating discussion by Mildred Otenasek, "Alexander Hamilton's Financial Policies," 68, typescript dissertation in Johns Hopkins Univ. Library.

42. State Papers, 1 Finance 91.

43. Jefferson's "Plan for establishing uniformity in the Coinage, Weights, and Measures of the United States" was sent to the House July 13, 1790 (2 *Annals* 1738); for text see 7 *Writings* (H. A. Washington ed.) 472 ff. After inquiry worthy of a more promising project, he concluded that the best "measure of determinate length, to which all others may be referred . . . as to a standard" was an iron pendulum, at sea level in a constant temperature, vibrating freely through a small arc. Even this was "not without its uncertainties," which were not diminished by necessary dependence on a clock. An application of this standard, such as it was, in a decimal system

to weights, measures, and coins, "thus bringing the calculation of the principal affairs of life within the arithmetic of every man," entailed the adjustment of the dollar to which Hamilton objected. The ideal collided with habit, law, and economics. Jefferson's scheme lacked the feasibility which marked Hamilton's boldest designs. In Congress it was postponed to await results of similar studies in progress in France, and was not taken up again.

44. State Papers, 1 Finance 99-100.

45. Dec. 29, 1790 (8 *Writings* [Monticello ed.], 121). H noticed this proposal in his rept. on the mint, but declined it because the silver would be easily counterfeited (State Papers, 1 Finance 99).

46. Jefferson to H, Jan. 1791(?), 4 *Hist. Repub.* 281-2. Were Congress at this late day at liberty to reduce the value of the dollar, Jefferson would prefer for the unit one ounce of silver "so as to keep the unit of money a part of the system of measures, weights and coins."

47. Given in State Papers, 1 Finance 105-7.

48. *Ibid.* 92-3. Hume, who influenced H, set limits to these benefits, since higher prices within a country would raise its costs of labor and reduce its exports. However, "though the high price of commodities be a necessary consequence of the increase of gold and silver, yet it follows not immediately upon that increase; but some time is required before the money circulates through the whole state, and makes its effect be felt on all ranks of people." In this interval "in every kingdom, into which money begins to flow in greater abundance than formerly, every thing takes a new face: labour and industry gain life; the merchant becomes more enterprising, the manufacturer more diligent and skilful, and even the farmer follows his plough with greater alacrity and attention" (David Hume, *Essays*, 293-4, Henry Frowde, 1904).

49. State Papers, 1 Finance 93.

50. *Ibid.*, 94-8. In opposing a larger proportion of alloy he was sensible, as always, of "effects of imagination and prejudice," which might, without logic, depreciate the coins and raise prices.

51. *Ibid.*, 98-100.

52. This last (3 *Annals* [1849 ed.] 71) made the standard silver dollar weigh 416 grains instead of 405 as H recommended.

53. *Ibid.*, 1849 ed., 483-6. In 23 HLC 3259 ff. is a piece in an unknown hand in dispraise of Democrats with "counterfeited dread of trifles . . . like the hysterics of women." Among other of their affectations, "making a bow to the president is swearing allegiance to a king; a man's head on the copper coin, like friar Bacon's brazen head, is full of conjuration."

Chapter 7 (Pages 123–137)
Borrowing in Amsterdam

1. Oct. 7, 1789 (4 JCHW 5–6).
2. Nov. 30, 1789, *ibid.*, 7–9; cf. Short to H. Jan. 28, 1790, with more detail, particularly that Gouv. Morris was joined with Parker in pressing the scheme of discharging the American debt with French bonds due in Amsterdam and that Necker was deterred only by lack of faith in financial resources of the Americans promoting it. He congratulated H on the return of prosperity to America, and on the beneficial effect this had produced in Europe (*ibid.*, 9–12).
3. May 7, 1790, *ibid.*, 12–13; Aug. 29, 1790, H notified Short this loan had been approved (*ibid.*, 38); cf. ALS, Willinks, *et al.*, Dec. 18, 1790, to Short, Short Family Papers, LC.
4. 4 JCHW 13–15, here dated only 1790.
5. To Pres. Washington, May 28, 1790, *ibid.*, 15–21.
6. Many proofs of the Willinks' purchases in the American public debt are in the Craigie Papers, Am. Antiq. Soc. Cf. N. Hubbard, Amsterdam, to Short, Feb. 2, 1792, saying action on H's recommendation of assumption of remainder of state debts "will involve our claims in the States of Maryland & Carolina. . . ."
7. H to Short, Aug. 29, Sept. 1, 1790 (4 JCHW 37–46). A copy of Washington's certificate of H's appointment as Sec. of the Treas., signed by Jefferson as Sec. of State, is in Short Family Papers, LC, as also a Dutch translation of it; these were necessary to making the loans.
8. 4 JCHW 45.
9. ALS, Dec. 23, 1790, Short Family Papers, LC.
10. Willinks *et al.* to Short, April 11, 1791, Short Family Papers, LC.
11. Same to same, May 23, 1791, *ibid.*
12. June 3, 1791, *ibid.*
13. June 9, 1791, *ibid.*
14. July 8, 1791, *ibid.*
15. July 21, 1791, *ibid.*

16. Aug. 8, 1791, *ibid.*

17. Aug. 22, 1791, *ibid.*; guilder and florin had the same value, 40 cents.

18. Willinks, etc., to Short, Aug. 25, 1791, Short Family Papers, LC. Custom of Amsterdam sanctioned various minor means by which lenders profited; a subscriber on signing a contract was given the bonds and allowed interest for the running month, so that practically all receipt of monies was upon last day of the month.

19. Same to same, Sept. 8, 1791, *ibid.*; by another of this date they said it was well U.S. loan had been undertaken, since probable acceptance of the constitution by the king of France would raise the exchange and the value of French funds.

20. Sept. 22, 1791, *ibid.*

21. Same to same, Oct. 24, 1791, *ibid.* Three weeks later the Willinks thought dismal news of Toussaint's revolution in San Domingo "may occasion immense Havock" to the mercantile interest of France, make the exchange still more tempting, and enable the U.S. to borrow at 4 per cent. (Nov. 14, 1791). However, at this rate charges must likely exceed by a little 5 per cent, but money borrowed at 4 per cent in Amsterdam could be used to buy up American domestic debt drawing 6 per cent (Nov. 17, 1791).

22. Further, before American independence Amsterdam bankers had furnished money not to be had elsewhere in Europe; it was hard lines that now with conditions auspicious, their neighbors should be favored. He should try to limit the Antwerp loan to bonds actually taken. They noted that Pres. Washington's speech at the opening of Congress exhibited a prosperity in America which was heeded in Europe. (H, in his part of these messages, was really talking across the Atlantic as much as at home.) Nov. 24, Dec. 1, 8, 15, 1791, *ibid.*

23. Short to H, Feb. 17, 1791 (4 JCHW 140-41).

24. May 9, 1791, *ibid.*, 157. H wished to borrow in England, but feared "it would not be long tolerated." Cf. Short to H, Oct. 10, 1791, saying no loan could be opened for the U.S. in London publicly, and he was disinclined to borrow there privately at 5 per cent.

25. Short to H, July 19, 1791, *ibid.*, 164-5.

26. Short to H, Oct. 10, 1791, *ibid.*, 178.

27. ALsS (Nov. ?), 12, 19, 22, 26, 1791; Feb. 7, 1792, *ibid.*

28. To Short, and to Willinks, Van Staphorst, and Hubbard, both Feb. 14, 1792 (4 JCHW 186-7). That all was amicably adjusted appears further by ALS, Willinks, etc., to Short, May 7, 1792, Short Family Papers, LC.

29. Willinks to Short, April 16, May 7, 1792, Short Family Papers, LC.

30. Same to same, May 18, 21, 1792, *ibid.*
31. ALS, N. Hubbard and Willinks to Short, Feb. 6, 9, Oct. 2, 1792, *ibid.*
32. Willinks, etc., to Short, June 21, 1792, Short Family Papers LC.
33. See Short to H, July 19, exchange of letters between H and Washington, July 29, and H to Short, Aug. 1, 1791 (4 JCHW 164 ff.).
34. See e.g., Willinks to Short, Aug. 25, 1791, Short Family Papers, LC.
35. H to Short, Sept. 2, 1791 (4 JCHW 171-2). H's conduct toward the French depreciation was not only honorable; he showed every delicacy for the pride of the French government. He worked out for Short desirable mechanics of making transfers. The following summer there was the question not only of how, but to whom, to pay in France. The problem, said the Amsterdam bankers, was "to ascertain who is . . . the Sovereign of France at this moment?" Hoggner, Grand & Co. at Paris refused to give a general receipt; if they held the American payments at the order of the king they might anger the present "administration of affairs" (Willinks to Short, Aug. 20, 29, 1792, Short Family Papers, LC). By Short's direction remittance was made to the order of Commissaries of the National Treasury of France (same to same, Sept. 5, 1792, *ibid.*).
36. To Short, March 5, 1792 (4 JCHW 189). This required a certain construction of the law, justified when it was remembered that during the Revolution sometimes 40 per cent was lost in realizing in America sums borrowed abroad.
37. To Short, April 24, 1792, *ibid.*, 195. De Wolf in Antwerp complained that he was discriminated against, though the bonds he had sold "Soustain here the Best of any Power" (to Short, July 29, 1793, Short Family Papers, LC). But the French military occupation had intervened, and De Wolf consoled himself with a large purchase of lands in northern N.Y. (*ibid.*, May 26, 1793). The Amsterdammers had their troubles too, but this was at the end of H's tenure of office. (See ALS, Hubbard to Short, Nov. 7, 1794, Feb. 7, 1795, *ibid.*)
38. ALS, April 1, 1793, Hamilton Papers, Columbia Univ.
39. The diagnosis of Cheetham, violent Clinton Republican, was that Schuyler "is known to have aided, if he did not first recommend, the English funding system, which . . . Hamilton, with so little wisdom but much zeal, proposed to Congress. . . ." Burr's "jealousy of . . . Hamilton . . . ripened into implacable hatred." The New York legislature (under Clinton's control) disliked the funding system, and therefore Schuyler and Hamilton. Burr hated Hamilton, hence was deemed a proper instrument of opposition to his measures (*Letters on Burr's Political Defection* [1803], 13-14).

40. ALS Jas. Tillary, [N.Y.] no date, to H, 14 HLC 1919-20; in a P.S., "long may you . . . fend off the Maddisons of the South and the Clintons of the North."

41. 2 *Annals* 1939, 1940.

42. Wm. Duer [N.Y.] to H, Phila., Jan. 19, 1791, Myers 402, NYPL. "Nothing but the Establishment of a Branch of the National Bank in this State; and the future residence of General Schuyler in this City, can . . . rescue the Foederal Cause from utter Depression." Duer, with troubles enough of his own, assured H that "whatever Defections you may Experience, in others, . . . in me you will Ever find that warm, and unabated Friendship, which you have a Right to Claim." H returned this personal attachment when Duer's failure precipitated the speculative crash in New York.

43. ALS, Jan. 19, 1791 (10 HLC 1313).

44. *Memoirs*, 39, 38.

45. See D. S. Alexander, 1 *Political History of the State of New York* 48 ff.; cf. Schachner, *Aaron Burr*, 99-100. A modern observer, reverting to that scene of New York politics, has quipped that "the Clintons had power, the Livingstons had numbers, and the Schuylers had Hamilton" (Parton, *Burr*, 169).

46. To H, Jan. 19, 1791, above.

47. ALS, Jan. 20, 1791, Sedgwick Papers, MHS.

48. *Jnl. N.Y. Assembly*, 14th sess., 1791 (Jan. 17), 23-4; 6 of 65 members in attendance on the session were absent or did not vote, probably absent, judging from vote previous day on question of U.S. Senate holding open debates.

49. *Jnl. of Senate of N.Y., ibid.*, 12 (Jan. 19, 1791); voting against Burr were Van Rensselaer and Gansevoort (western district), Philip Livingston and Micheau (southern district). Schuyler was present but did not vote.

50. To Sedgwick, above.

Chapter 8 (Pages 138-153)

Stimulants to Manufactures

1. Hamilton was by no means the only one to cry up the need and promise of manufactures in the young nation. His was by far the most comprehensive presentation of evidence and arguments, but societies for encouraging industry were spontaneously forming and individuals were alert-

ing the public to accomplishments and further development. A Pennsylvanian told how production had "increased exceedingly within a few years, as well by master workmen and journeymen from abroad, as by the . . . skill and industry of our own citizens." Household or family manufactures had progressed, but Arkwright's machinery for spinning cotton was at hand, and water mills for other fibers. Paper, gunpowder, iron and steel, book printing, coachmaking were "wonderfully advanced, and every month seems to extend our old manufactures, or to introduce new ones." Immigrants were bidden by recital of high wages and low cost of living. With our resources it would be "almost criminal" to neglect American fabrication, protected as we were by distance and protective duties (*Pa. Gaz.*, April 28, May 5, 1790; cf. *ibid.*, April 21, on sailcloth, woolens, bellows). Even more in line with H's plans are pp. 285-92 from M. Carey's *American Museum*, June, 1790, in 7 HLC 936-41. *N.Y. Jnl. and Weekly Adv.*, June 1, 1790, began a series on American manufactures.

2. Thirty years after introducing the Physiocrats to America by means of Destutt de Tracy, Jefferson sent a congratulatory message to him through Lafayette: "tell him his Political economy has got into rapid and general circulation here. That it is already quoted in Congress & out . . . as our standard code. . . ." This work and his commentary on Montesquieu would "render more service to our country than all the writings of all the saints & holy of the church have rendered" (ALS, March 8, 1819, Morgan Lib.). As a matter of fact, this year of depression recommended obedience to H's system—the second bank was buttressed, internal improvements were forwarding, and for a decade protective tariffs were emphasized. The first American edition of Smith's *Wealth of Nations* (see adv. of Thos. Dobson, *Pa. Gaz.*, Phila., Jan. 13, 1790) was recommended as demonstrating that commerce "is best supported, not by mutual limitations and embarrassments, but by a perfect freedom of intercourse."

3. See Frederick Scott Oliver, *Alexander Hamilton, an Essay on American Union* (London, 1906).

4. Cf. Sidney Sherwood, *Tendencies in American Economic Thought*, in Johns Hopkins University Studies in Historical and Political Science, Ser. 15, No. 12; Ugo Rabbeno, *American Commercial Policy*; R. G. Tugwell and Jos. Dorfman, *Early American Policy*, for a brief but accurate appreciation of H's role as national economic planner, and Amaury de Riencourt, *The Coming Caesars*.

5. For a different view, picturing H as protagonist of private capitalism, see Louis M. Hacker, *Alexander Hamilton in the American Tradition*.

6. E.g., *Wealth of Nations*, Book II, Chap. V: "No equal quantity of productive labour employed in manufactures can ever occasion so great a reproduction" as in farming. "In them nature does nothing—man does all. . . . The capital employed in agriculture, therefore, not only puts into motion a greater quantity of productive labour than an equal capital employed in

manufactures, but in proportion . . . it adds a much greater value to the land and labour of the country, to the real wealth and revenue of its inhabitants. Of all the ways in which a capital can be employed, it is by far the most advantageous to the society." Hamilton, in his further demonstration, by fifty years anticipated Smith's editor, McCulloch, who in 1826 refuted this passage. (Rise and Progress of . . . Political Economy, 70-71.)

7. State Papers, 1 Finance 123-125.

8. *Wealth of Nations*, Book II, Chap. V; Book III, Chap. I. In productiveness, Smith ranked manufactures above wholesale and retail commerce.

9. State Papers, 1 Finance 123.

10. *Wealth of Nations*, Book I, Chaps. I and II.

11. State Papers, 1 Finance 125 ff.

12. We do not know the precise source of Hamilton's information of the astonishing progress of the British industry in the previous twenty years. His description was confirmed a decade later in Adam Anderson's *Deduction of the Origin of Commerce* (rev. ed., London, 1801, Vol. IV, 654 ff.), reporting "the new accession of powers that are bursting forth upon this country" (Britain), in the cotton trade, "are unparalleled in the annals of the world." Of 143 mills, nearly two-thirds had been erected in the five years prior to 1787. Capital of £1,000,000, mostly in water mills, furnished nearly 2 million spindles operated by 100,000 men and women "and at least 60,000 children; many of the latter having been taken from different parishes and hospitals. . . ."

13. White, G. S., *Memoir of Samuel Slater*.

14. Olmsted, Denison, *Memoir of Eli Whitney*.

15. Victor S. Clark, surveying the beginnings of the American textile industry, observed that after the middle of the eighteenth century "we hear less of the educational purpose of these enterprises, and more of their economic service. It would be difficult thereafter to differentiate between philanthropic and commercial motives in the public promotion of textile manufactures; but the idea was well fixed in the popular mind that the employment of children in such arts served the general welfare, and that the profit of their labor, even when unremunerated, properly belonged to the person who undertook the burden of their instruction." Wm. Molineux, of the Manufactory House, Boston, informed the legislature in 1770 that in the first season he had "learned at least 3000 children and women to spin in the most complete manner," and he had thoughts of "manufacturing the children's labor into wearing apparel" (1 *Hist. of Manufactures in U.S.* 189). Sentiments exactly contemporary with Hamilton's report were the same. Moses Brown, of Providence, with no compunction in his Quaker heart,

called mill yarn made "by Children from 8 to 14 years old . . . as near a Total Saving of Labour to the Country as perhaps Any Other that can be named. . . ." (A. H. Cole, ed., *Correspondence of Hamilton Anticipating Report on Manufactures*, 77.) A Providence committee on manufactures thought card making "most profitable to the Public, as it employs Numbers of poor Children, who, while they are earning Something towards their Subsistence, are prevented from contracting bad Habits, and are introduced thereby to a Habit of Industry,—by which we may hope to see them become useful Members of Society" (*ibid.*, 85). Thos. Marshall, among "Weighty Considerations" favoring Trenton as location for a textile mill, included "Children Numerous" (*ibid.*, 208; cf. H in prospectus of Society for Useful Manufactures, 192). The N.Y. Cotton and Linen Manufactory, 303 Queen St., near Peck Slip, advertised its varied wares, and ended, "Wanted, workers in the cotton line, and . . . Apprentices, either girls or boys from seven years old and upwards" (*N.Y. Daily Adv.*, Sept. 1, 1794). A decade later, Wolcott wrote to his brother from N.Y., "I will make . . . inquiry after Boys for the Nail manufactory: it is not probable that any worth having can be found here. Children who have health and are not utterly depraved in their morals are worth money and readily [?] faint] find employment" (Letter press copy, Dec. 20, 1803, to Frederick Wolcott, 53 Wolcott Papers, CHS). At about half of the meetings of commissioners of the almshouse, N.Y.C., in the winter of 1791–2, children were bound out; these must have been young from fact that few children in the school were above 8 years of age (N.Y.C. Almshouse Minutes, Sept. 26, 1791 ff.).

16. State Papers, 1 Finance 126–127.

17. *N.Y. Jnl. and Weekly Reg.*, June 22, 1790. H received from "Hosier" (Sam'l. Paterson) in Scotland pleas that poor textile workers of that country be enabled to come to America by bounties or reduction of tonnage dues of vessels bringing them (July 6, 1790 [8 HLC 1073–4]; Feb. 10, 1791 [11 *ibid.* 1395–6]). Later the same correspondent, who offered H aid in several forms, was glad the Rept. on Manufactures had been reprinted in Dublin and "sold cheap." H should procure the same to be done in Holland, France, and Germany, which would "encourage the poor distressed subjects of these States to flock to America" in spite of opposition of landlords and governments (ALS, Feb. 16, 1793 [18 HLC 2510–11]). A decade later expense of a servant girl, Scotland to N.Y., was £15.9.6, including £8.8 for passage itself, £4.4 for provisions, 17s. 6d. for mattress, blankets, and rug. If prepaid, she engaged for three years (Capt. F. Cuming, of *Enterprise*, N.Y., Dec. 5, 1801, to Noah Webster, Webster Papers, NYPL).

18. Cf. the Careys with their *Plough, Loom, and Anvil* magazine, and works of Raymond, List, etc.

19. State Papers, 1 Finance 128–129. H's enforcement of this central reason for "the extraordinary aid and protection of government" disputes the contention of Louis M. Hacker (*Alexander Hamilton in the American*

Tradition) that H made government planning subordinate to capitalist impulse. In this ardent proposal, as so often elsewhere in his Treasury recommendations, H invested government with original responsibility to discover and foster desirable courses. The reckless might embrace "new attempts" with ill success. But to inspire "cautious, sagacious capitalists, both citizens and foreigners . . . with confidence . . . it is essential that they should be made to see in any project which is . . . precarious, the prospect of . . . support from government . . . capable of overcoming the obstacles inseparable from first experiments." H charged government with the choice and thereafter the promotion of serviceable lines of economic effort, not with their conduct, which was to be left to acquisitiveness acting in competition. But the scope of the national economy and the hazardous start in untried fields were to be determined and supported by legislation. For the crucial commencement he rejected the laissez-faire reliance as inadequate for his America, though he expected and wished that it would prevail in the sequel. He was the patron of private enterprise, no believer in its initial self-sufficiency. Cf. re Hacker's view that H applied Smith's precepts, Merrill D. Peterson in 3d Ser., XV, *W&M Quar.*, 119. A letter which may have influenced H's argument as well as arrangement in the report was from Peter Colt, Hartford, July 21, 1791, enclosing a longer report (11 HLC 1526-32). Colt later became general superintendent of the Society for Useful Manufactures at Paterson.

20. State Papers, 1 Finance, 129-132.

21. Abundant evidence of these, chiefly textiles and clothing, is in the replies to his circular; for reports which may have particularly informed his admiring references, see Cole, ed., *op. cit.*, p. 4 concerning Connecticut, p. 99 for Surrey Co., Va.

22. State Papers, 1 Finance 132-134.

23. State Papers, 1 Finance 134-135, 136.

24. State Papers, 1 Finance 135-136; cf. spirited account of premiums and honors in 2 Postlethwayt 781.

25. Book I, Chap. XI; Smith was saying that it was every way desirable to break down local monopoly by bringing produce of remoter districts to market, and opening these districts to manufacturers and merchants of the town.

26. A misprint occurs in State Papers, 1 Finance 138; he meant to say that in Congress "a local or partial spirit is least likely to predominate," but the malaprop printer put "is at least likely to predominate."

27. State Papers, 1 Finance 137-138.

28. See Vol. I of this work, p. 25.

29. State Papers, 1 Finance 138-144. For specimen discussions in Postlethwayt's *Dictionary of Commerce* which probably informed H's praise of

societies and a public commission to implant industry, see Vol. II, 129, 130, 133, 629 ff., 638, 672 and 673 (concerning inducements in Scotland, which H mentioned), 781–782.

30. 13 HLC 1732–64, 1767–91, 1792–1818, 1819–71 is an incomplete draft, perhaps the last before the final report. 14 *ibid.* 1839–73.

31. ALS, Aug. 15, 1791 to H (X Wolcott Papers, CHS).

32. *Gaz. of U.S.*, April 10; *Columbian Centinel*, Sept. 15, 1790; Wheelock to H, Nov. 8, 1791 (13 HLC 1718); H's appreciative reply, Oct. 9, 1790, to Wheelock's first letter is in Box 1, HLC. At same commencement pres. of N.H. and gov. of Vt. were honored with degree of M.A.

33. ALS, Aug. 27, 1792, Box 1, HLC; also 4 Records of Overseers, May 1, 1792, Harvard Library; degrees were conferred later (see *Gaz. of U.S.*, Aug. 1, 1792), among other recipients being Sam Adams, John Hancock, Francis Dana.

34. AMH 92–3.

35. ALS, Dec. 29, 1791 (14 HLC 1900).

36. AL, draft, 15 *ibid.*, 2019. Photostat of H's suitable acknowledgment (April 12, 1795) to Mayor Richard Varick of grant of freedom of N.Y.C. is in H Papers, NYPL. Earlier, H expressed regret at missing a visit from Richard Harison of New York. "Every friend I see, from a place I love, is a cordial to me, and I stand in need of something of that kind now and then" (Jan. 5, 1793 [18 HLC 2502]).

37. J. McA. Palmer, *Baron Steuben*, 399; H's ubiquitous concern for education was responsible for presence in his papers of extract of letter of Washington, March 16, 1795, to governor of Va., giving his shares in Potomac and James River companies for a university in Federal City and seminary in Va. (24 HLC 3308–10).

Chapter 9 (Pages 154–167)

Speculation

1. Months before he was named to the Treasury, H's name was mentioned in a scheme somewhat cryptic but doubtless concerning speculation. "All the Gentlemen have agreed to act," Andrew Craigie wrote to John Holker, "except Mr Hamilton who has but lately returned from the Country & has it now under consideration." Craigie would have the agreement recorded. "Col. Duer is satisfied with the agreement we made & is ready on his part

to carry it into effect whenever it shall be convenient" (Draft ALS, Jan. 25, 1789, Am. Antiq. Soc.; cf. same to Dan. Parker, May 23, 1789, *ibid.*). Wm. Short, a few months before he was deputed U.S. agent to negotiate loans in Europe, was speculating in our government paper. Daniel Parker, in London, received Short's balance from Messrs. Grand, "& by the August Packet I sent orders to my friend in America to invest the amount in the Liquidated Debt as soon as possible & . . . to advise me of the price of Indents & the probability of their rising, & in case it appears that Indents are the most certain of a quick rise, the Liq: Debt can be sold & the proceeds vested in them. . . ." (ALS, Oct. 3, 1789, to Short, Paris, 5 Wm. Short Papers, LC).

2. Thus a friend, approached by FitzSimmons, would be glad to be concerned in purchase of any sum in 6 per cent debt. If anything could be done in this way for their joint account he could "make a handsome thing of it. N^o Car Debt of the Assumable kind at 7/6 as you quote it could not fail to be a Capital purchase. . . ." If the House adjourned March 3, the bank bill "will remain unfinished & if so Paper of every kind will be down very much" (Jan. 16; cf. to Robt. Morris, Jan. 18, 1791, Constable Letterbook, NYPL).

3. Thus Wm. Constable before appointments to the Treasury were made: "You ask about Duer & what He is about—making schemes every hour & abandoning them instantaneously" (to Jas. Seagrove, June 8, 1789, Constable Letterbook, 1762–90, NYPL). And after Duer was installed: "Our friend D [uer] shuns me most assiduously—his promise of going on, like his other promises I dare say He does not mean to keep—and I have no doubt He is at this moment deeply concerned in operations with others, which must militate against us. It will be necessary if it can be done to fix him to a point & to keep from him the proposed plans. . . . I have always known him better at maring [*sic*] a plott than furthering any project," (to Robt. Morris, Nov. 2, 1789, *ibid.*). Craigie cautioned Daniel Parker in Amsterdam on a joint agreement of several, "No person but yourself is to know that D[uer] is connected in this Business. Warville will explain fully to you the reasons & it will be best never to mention D's name on any occasion. . . . It is really my opinion that immense operations may be carried on by the association with Warville & his friends. . . . Federalism gains ground dayly & you may depend on the establishment of a firm effective Government" (Copy, ALS, Dec. 3, 1788, Craigie Papers, Am. Antiq. Soc.). An earlier letter, same to same, Oct. 29, 1788, *ibid.*, shows that Robt. Morris, recently elected a senator, was "turning his attention to the domestic & foreign Debt & forming connections with a view of speculating . . . extensively in them." Gouv. Morris was going to Europe as agent. It appeared, according to Duer, that Jefferson had communicated to Madison "some plan respecting a transfer of the *foreign* Debt, by a fair negotiation of which great advantages may be made: & that M-d-n & M-s may be associated with Gov[*sic*]-n M-s & one or two others for the purpose of *the* Speculation." Duer was being besought

by Robt. Morris to join this company, but he was bound by his engagement with Craigie *et al.* not to do so. (The suggestion that Madison might become involved in any such scheme was preposterous; Duer was an unreliable reporter.) Cf. ALS, Craigie to Francis DuPont, Feb. 26, 1789, *ibid.*, explaining "Objects of the Association formed while Mr. Warville was here."

4. Andrew G. Fraunces, see below.

5. These investigations were conducted by his political enemies who could be trusted to make the most of whatever would substantiate suspicion; see H himself in "Observations on Certain Documents . . . in . . . *The History of the United States for . . . 1796*" (7 LHW 373-77).

6. Nominally; the duties of the comptroller were probably more important to the functioning of the department.

7. Nov. 9, [1789], Constable Letterbook, 1762-90, NYPL.

8. See, e.g., Constable to Seagrove, *op. cit.*

9. ALS, to Duer, May 29, 1781 (1 Duer Papers, NYHS).

10. Later, John Adams, depreciating H's accomplishments in the Treasury, declared "the real business was done by Duer, by Wolcott, and even . . . by Tench Coxe" (Correspondence in *Boston Patriot*, 1809, 54-5).

11. Of course, Robt. Morris had continued active in private business after assuming the duties of Financier of the Confederation, but this he felt obliged to make a condition of accepting the office, and Congress reluctantly agreed; Morris' affairs then were chiefly commercial.

12. Election charges, further magnified and distorted through an opponent's report, make unreliable tales. However, a third-hand narrative of Duer's departure from the Treasury may be mentioned for what it is worth. One Wm. Campbell, assailing John F. Mercer's reelection to Congress from southern Maryland in 1792, said that Mercer said that Thos. FitzSimmons informed that Duer, when Hamilton's assistant in the Treasury, "carried his speculations to such extent, as to prevent any Claimant scarcely getting an account passed against the United States"—this so that he might fatten at expense of the frustrated. "That this conduct excited an Enquiry by Congress and that . . . FitzSimmons as one of the Committee . . . after an investigation . . . informed [the Secretary] he must dismiss Duer, or they would be obliged to report unfavorably, and . . . accordingly, Duer was in a few days dismissed" (Campbell to David Ross, Nov. 18, 1792, Box 1, HLC).

13. Jas. Greenleaf, of Watson & Greenleaf, former in U.S., latter in Holland, from The Hague, Aug. 18, 1789, to Noah Webster: "My present prospects in . . . business are highly pleasing, & . . . I flatter myself they will daily become more so. Should Congress place the public Debt on a respectable footing, the Gains of W & G would be very great; should the Debt be

annihilated, our losses will be comparatively small. . . ." (N. Webster Papers, NYPL).

14. An American shipowner described to his correspondent in India brilliant prospects in the American funds: ". . . very few in our Country have ever turned their Attention to it—they do not perceive that 50 pC^t p ann has been gained by people who [have] been constantly purchasing. Were it not that the nature of my Connections renders it necessary for me to Carry on trade I would . . . embark every shilling I have in this object & give up Commerce, but our House are so extensively in different adventures that it will be impossible for us to call in our Capital" (Constable to Jno. Cochrane, Nov. 2 [1789], Letterbook, *op. cit.*, NYPL). A few days later he told Robt. Morris that certificates were dull in N.Y. "more owing to a want of money than a want of a spirit of speculation in People in general" (Dec. 28, 1789; cf. to Jas. Constable, June 7, [1789] *ibid.*).

15. They advertised in the newspapers. "Anspach & Rogers, at No. 55, Smith-Street . . . Buy and sell all kinds of Continental and State Certificates: Also, Specie Certificates, signed Timothy Pickering, Q.M.G. They likewise exchange one kind of Public Paper for another; and buy and sell, on moderate commissions, for all those who may apply. . . ." They accommodated persons wanting certificates that would answer to pay for taxes, quitrents, lands (*N.Y. Jnl. and Weekly Reg.*, Jan. 7, 1790). Cf. Elkin Solomon in *Md. Jnl. and Balt. Adv.*, Jan. 1, 1790, who would "pay highest prices in gold, silver, or post-notes, for final settlement, loan-office, depreciation, tax, Pa. new-loan, Va. military certificates, indents, state and Continental money, all other kinds of public and private securities; also sold or bartered on commission rum, coffee, gin, sugar, chocolate, tobacco, etc.; cf. Valck in *ibid.*, Jan. 5, and Jas. Saidler in *N.Y. Daily Adv.*, Feb. 25, 1789. Wm. Constable informed Gouv. Morris that LeRoy & Bayard had given orders to most of the stockbrokers to purchase at 5s. 6d. (Oct. 8, [1789], Letterbook, 1762–90, NYPL).

16. To Robt. Morris, Nov. 27, 1789, Letterbook, NYPL. In Southern states' debts "nothing can be done without money." He had small hopes of purchases in South Carolina "for Bills on us here [N.Y.]" As to borrowing, an agent was authorized to offer 3/9, "but . . . the terms of security &c demanded by the Lenders broke up the Negotiation w^h is perfectly at an End" (to same, Dec. 22, 1789, *ibid.*). Very high prices deterred owners from lending, lest they miss the opportunity of selling (same to same, Dec. 28, *ibid.*).

17. Dec. 17, [1789]; cf. to Gouv. Morris, Dec. 24, 1789, *ibid.*

18. Robt. Morris received an order by the last packet from Willinks to purchase for their account, and D. Crommelin & Sons of Amsterdam had also come forward (Constable to Jas. Chalmers, Feb. 24, 1789). Constable was drawing for account of Baring, Boehm & Henchman, "being on a specu-

lation in the American funds, & of very great extent" (same to Jno. Inglis, Dec. 1, 1789, Letterbook, *op. cit.*, NYPL). Dec. 9, 1789, said the amount was "400,000 Dls. in the Contin^l Debt" (to Jas Chalmers, *ibid.*).

19. To Gouv. [Morris], Nov. 14 [1789], Letterbook, *op. cit.* He thought the Bank of N.Y. would be chartered by that legislature, but not so (see *Jnl. Senate of N.Y.*, 13th sess., 2d meet., pp. 4, 22-3).

20. AL to [Dan.] Parker, 1789? (Craigie Papers, Am. Antiq. Soc.). He offered an example. The national debt was 13 or 14 millions, the state debts 18 or 20 millions. ". . . suppose men in power should make Arrangements for incorporating the States Debts with those of the Union, the Debt of the U States will fall in value immediately." Cf. Constable to FitzSimmons, Dec. 31, 1789 (Letterbook, NYPL). This forecast proved correct; in the three months after H proposed assumption, final settlements moved down fractionally, then rose remainder of year (10 HLC 1390).

21. 8 HLC 997; the answer only is printed in 5 JCHW 446-7, and in 9 LHW 465-6, which robs it of some of its meaning. About the same time another companion in arms, also a Virginian, asked present value of one of R. Morris' certificates, "and what prospect there is of their appreciating" (ALS, B. Grymes, Nov. 24, 1789, *ibid.*, 1002). Brissot de Warville, in Paris, congratulating Duer on being appointed, as he thought, Secretary of the Treasury, introduced "Mr. C [illeg., azenove?] of Amsterdam." The latter would "settle . . . in America, & . . . make some speculation in your funds. I am sure, knowing your obliging temper, you'll give him good information about his speculation. . . ." (ALS, July 7, 1789, Duer Papers NYHS). About this time Warville himself held Continental securities of nominal value of \$109,350 (Certificate of Jno. Wilkes, notary, no date, Treas. Papers, NYPL).

22. Copy, to D. Parker, May 23, and similarly June 13, 1789 (Craigie Papers, Am. Antiq. Soc.).

23. "Mess^{rs} Lee & Livingston will not from all I can learn have any appointments in the Treasury Department" (Draft ALS, June 27, 1789, *ibid.*). Three months before a secretary of the Treasury was appointed, outlines of likely policy were surmised by speculators. One wrote to an associate, "You know my sentiments respect^s the State Debts—they must all be funded in one general Mass, & an interest of 4 p^c paid on them; this I believe will be the system; to enable them to pay the Interest a Foreign Loan of 3 Mn Dls must be made w^h will be easily negotiated, this with the produce of the Import will pay the Expences of the Governmt . . . for the Curr^t Year, & all will be in train by another season. rely upon it the Charleston Debt at 2/ is a fair speculation, it cannot fail to eventuate right. . . ." He hoped Duer "may be Secretary to the New Treasury" (Wm. Constable to Jas. Seagrove, June 8, 1789, Letterbook, NYPL). Cf. Craigie to Van Staphorst, June 27, 1789, Am. Antiq. Soc., "It is well known to the men of the weakest . . . influence in the *new* Government that the Debt will soon be put on the most

respectable footing. . . ." Craigie continued to vacillate in his reports; July 11 he thought Duer would not have any place in the Treasury, would be provided for elsewhere "& have great influence which will be of importance if Secured, to your views." It was uncertain whether H would be in the Treasury (draft ALS, no addressee, *ibid.*). A month subsequently he believed H would be Secretary after all, and, as he and not the President would appoint the assistant, this would be Duer. He added, evidently referring to the secretaryship, "If Jay would have taken it he might have had it" (Draft ALS, Aug. 10, 1789, *ibid.*). It was probably about this time that Janet (widow of Gen. Robt.) Montgomery, politicking for R. R. Livingston, informed him of her conversation with R[andolph?]. The President, whose confidence he seemed to enjoy, was deterred from putting Livingston "in place" only from fear of making too many appointments from N.Y. When she inquired whether H would be in the Treasury, she was told that the present idea was to assign that to Livingston "rather than to take up H—whome he [i.e., Randolph] fears" (no date, R. R. Livingston Papers, NYHS).

24. Draft ALS, to N. & T. Van Staphorst & Hubbard, Amsterdam, June 27, 1789, *ibid.*

25. Craigie, N.Y., to Warville, July 28, 1789, *ibid.*

26. See Wm. Steele, Wilmington, to Duer just at this time (July 27, 1789) about their joint speculation (Duer Papers, NYHS). Six months before, he instructed his agent in Paris on the price to charge for his American certificates, adding that he must take precaution against his correspondence being intercepted. "you must hazard no Letters but under cover to W^m Constable & Co, and whenever you can, in Mr. Jefferson's Pacquet, to Mr. Jay" (Feb. 21, 1789, to E. Haskell, Constable Letterbook, *ibid.*). Jefferson would have been scandalized at his diplomatic pouch being "freighted for speculation." Actually, on his return to America he himself, unknowingly, was the messenger between these precious schemers. Jefferson on his way from Virginia to Philadelphia to become Secretary of State was bringing \$60,000 in finals which Constable and Platt had borrowed from Barrell and which must be shortly returned or paid for at a penalty price. As Jefferson might be delayed on the road, Craigie, in Boston, should get Barrell to agree to a postponement or if necessary advance him the \$60,000, take up the bond, and Constable would reimburse Craigie in registered debt on demand (Constable to Craigie, Dec. 16, [1789], *ibid.*). In Feb., 1789, Duer gave H his note for \$2,000 "for Value received" (H Misc., NYHS), but the occasion does not appear.

27. To Jas. Seagrove, June 8 [1789], Constable Letterbook, *ibid.*

28. July 29, 1789, *ibid.*

29. ALS, to Sam. Meredith, Dreer Coll., new ser., PHS. A week later Constable sent the same information to Gouv. Morris, adding "had you been

here I think it highly probable you would have fitted that station" (Oct. 18, [1789] Letterbook, *ibid.*).

30. Constable to Jas. Chalmers, Feb. 24, 1789, *ibid.* And a few days later, long before H was appointed, Constable reminded another friend of "my firm conviction that the public Debt affords the greatest object of speculation [...] this I . . . repeat to you. Funded Debt is now secure & in demand at 5/ & will be at 6/8 within no very distant period. My Dear Friend if you can get possession of a large q^{ty} of Indents of Interest at the present rate 2/9 this [*sic*] will double themselves in 12 Mos" (to Jas. Seagrove, March 3, 1789, *ibid.*). Predicting to a correspondent that the debt, if funded at 6 per cent would soon rise to par, Constable added, "the Gain you will readily perceive but I trust means will be employed, *by those in the Secret*, to check the rapid rise of our stocks, so that a considerable portion of it may be got possession of by these & their friends [;] if . . . successful we shall . . . keep the price down to 10/w^h will afford a profit of 100 per Cent in less than 3 years. . . ." (To Jno. Cochrane, Nov. 2, [1789] Letterbook, NYPL).

31. Same to Seagrove, April 9, 1789, *ibid.*

32. Same to Chalmers, April 14, 1789, *ibid.*; again "every endeavour must be used" to retard payment of interest "so that We may keep [price of the debt] in check for a time."

33. Constable to Gouv. Morris, April 25, 1789, *ibid.* "Loan office Certificates on which no interest has been paid, and of an old Date—I want" (Craigie to Ed. Fox, Jan. 25, 1789, *Am. Antiq. Soc.*).

34. Constable to Seagrove, April 9, 25, 1789, *ibid.*

35. July 12, 1789, Sedgwick Papers, MHS.

36. To Jas. Greenleaf, Sept. 20, 1789, Webster Papers, NYPL. Six weeks later, Constable was sure revenue would be enough and regular funds would be appropriated for discharge of interest of the debt (to Jno. Cochrane, Nov. 2, 1789, *ibid.*).

37. To Cochrane, above; Dec. 22 to Inglis; Dec. 26, 1789, to Ellice: stocks had risen beyond his prediction and might fall again, "but a person who is well Connected may always be apprised of measures previous to their adoption."

38. To Alex. Ellice, Nov. 7, 1789, Letterbook, *ibid.* For sample of H's many legal services to Constable, receipt of J. B. Church as H's executor to Constable's estate for payment of bill, Jan. 13, 1805 (H. Papers, NYHS).

39. Said Constable, "I am intimately acquainted with and honoured with his Friendship" (to Jno. Inglis, Jan. 4, 1790).

40. Craigie, sending H's report to Dan'l Parker in London, with his view that it would be adopted without much alteration, added, "As M^r Constable is the great Agent in the Business he will inform you of all proceedings &

Mr Morris's Opinion respecting the intentions of Government" (Feb. 4, 1790, Am. Antiq. Soc.).

41. Nov. 9, [1789], *ibid.*; cf. Nov. 14 to Gouv. Morris. However, six weeks later, to FitzSimmons, he was vaguer about the source of his faith. "Your ideas respectg Indents I believe perfectly right[,] were I in cash I should act upon that opinion tho I have no information of the plan proposed but from Conversation which I have had with diff^t Gent^l. I have no doubt that they will be funded with the principal" (Dec. 25, 1789).

42. Nov. 18, [1789], *ibid.*; cf. to same, Dec. 1: "Your presence here would be of infinite advantage as We might . . . find out the intention of the Chancellor of the Exchequer."

43. To Gouv. Morris, Dec. 1, [1789], Indents had been to 4s. Constable must have "tried" H on them again, for he thought the secretary meant to fund them at 3 per cent and receive them in payment for lands. "If we had at this moment the command of money anything might be done almost in securities." By the rapid advance "owing to the Confidence which is so justly placed in our Executive . . . it would not be safe to contract to deliver . . . stock even at 15 s," or 75 per cent of par (This last to Jas. Chalmers, Dec. 9, 1789, *ibid.*).

44. To Gouv. Morris, Jan. 12, 1790, *ibid.* Back in Aug., Sept., and Oct., Constable was using every means to get S.C. debt, selling at 15 for 1, but he would exchange Ky. lands for it at 12 to 1. Craigie must manage purchasing agents in the several states (to R. Hazelhurst, Aug. 27; to Jas. Seagrove, Aug. 30; to G. Morris, Sept. 13, Oct. 28, 1789, Letterbook, *op. cit.*); indenture of McNaughton and Steele for N.C. certificates (1790 Duer Papers, NYHS). The fly in the ointment was refusal of the Treasury loan office to register S.C. certificates because some of them had been fraudulently issued, but H explained that steps were taking to detect the forgeries and regularize the remainder (Constable to R. Morris, Dec. 15, 22, 1789). To register the S.C. debt was necessary if the certificates were to be sold in Europe; Dexter and others were pressing to get quantities through the Register's office in time to catch fast vessels (Craigie to D. Parker, Jan. 12, 1790, Am. Antiq. Soc.).

45. Constable to R. Morris, Oct. 28, 1789, *ibid.*

46. Constable to Jno. Inglis, Jan. 4, 1790, NYPL. The same assured G. Morris that Wolcott, then auditor, "appears to be a very liberal man & I think has rec^d a right impressions [*sic*] from Wadsworth" (the latter a member of the House and a prime speculator).

47. Constable to G. Morris, Jan. 4, 7, 1790.

48. On Jan. 4, 1790, only five members were needed to complete the House, and R. Morris and the Jersey men would make a Senate (Constable to R. Morris this date).

49. Same to same, Jan. 9; to Geo. Harrison, Jan. 10, 1790, *ibid.*

50. Constable to G. Morris (in Paris), Jan. 12, 1790, *ibid.* H in first instance would not bring forward ways and means; masterly report was 100 pp. Import and excise duties would provide for interest on consolidated debt amounting to some 80 millions, though amount was in doubt as returns were in hand from only 7 states.

51. To Gouv. Morris, Jan. 14.

52. To Gouv. Morris, Jan. 14, 28; to Seagrove, Jan. 17; to Ellice Feb. 2, 1790, NYPL; Craigie to Sam. Rogers, Jan. 17, 1790 (Am. Antiq. Soc.).

53. See *Gaz. of U.S.*, Jan. 20, *N.Y. Jnl. and Wkly. Register*, Jan. 21, 1790.

54. *Daily Adv.*, and later dates.

55. Jan. 27, 1790; *Md. Jnl. and Balt. Adv.* day before promised whole report "when a copy can be obtained," and in the meantime gave a summary; same for *Mass. Centinel*, Boston, Jan. 27.

56. *Md. Jnl. and Balt. Adv.*, Feb. 2, 1790, gave most of its columns to report and discussion of it.

57. Published by Hodge, Allen, and Campbell, Debates of Congress taken in Short-Hand, by T. Lloyd (adv. in *N.Y. Jnl. and Wkly. Register*, Jan. 21, 1790); No. 1 of Vol. 3 would be delivered next week and contain report of Sec of Treas., etc. Jos. Barrell, Boston, Jan. 31, 1790, to S. B. Webb: "Don't fail sending the Congressional Register . . . as fast as they come out, for unless we have the News as early as others 'tis not worth a groat."

58. Many people would need more than the Secretary's exposition to convince them that speculators were not culpable and that state debts should be assumed. Intelligent newspaper articles were not generally read. One who admired H's ingenuity in contriving options for conversion thought he had done better to confine them to a couple of the simpler ones. "The Table of Annuities I do not understand, or if I do I do not like them. . . . The Tontine I cannot . . . suppose will ever find a single subscriber" (Barrell to Webb, *op. cit.*).

59. Feb. 3, 1790.

60. *Mass. Centinel*, Feb. 24, 1790.

61. *Pa. Gaz.*, Jan. 27, 1790. The "depravity of principles held up to Congress" by the secretary would possess foreigners of an immense sum at one-third of its real value (*N.Y. Daily Adv.*, Feb. 5; cf. "A Customer" in *Pa. Gaz.*, Feb. 3, 1790).

62. *N.Y. Jnl. and Weekly Reg.*, Feb. 11, 1790. The N.Y. State Soc. of Cincinnati condemned a petition for discrimination in favor of original holders (*Gaz. of U.S.*, Feb. 3, 1790).

63. See pamphlet advertised Feb. 12, 1790, "Considerations on the Nature of a Funded Debt," Berry & Rogers, 13 pp. (8 Evans 22432), where resentment of the "little man" is excited; answered by "Public Credit" in *Md. Jnl. and Balt. Adv.*, Feb. 16, 1790.

64. "Observer" in *N.Y. Gaz.*, Feb. 3; Balt. letter Feb. 6, 1790.

65. S. Henshaw, Boston, to Sedgwick, Jan. 27; "Honestus" in *N.Y. Daily Adv.*, Feb. 3, 1790.

66. To Gouv. Morris, NYPL.

67. Horace Johnson, Charleston, Feb. 12, Craigie, Feb. 19, 1790, Craigie Papers, Am. Antiq. Soc. "Blank Powers of Sale and Transfer of Certificates" were advertised for sale by printer of *N.Y. Jnl. and Weekly Reg.*, Jan. 21, 1790; these were large sheets ruled in columns for all pertinent information.

68. Constable to Benj. Harrison, Feb. 13, to G. Morris, Feb. 18 (NYPL); Craigie to D. Parker, Feb. 4, 1790 (Am. Antiq. Soc.).

69. R. Morris had "suffered [a] total loss of Credit" (Constable to Gouv. Morris, Oct. 2; same to same, Aug. 27, 1790, *ibid.*).

70. Sargent had made a voyage to Charleston "without having done a single thing" (Constable to Gouv. Morris, July 30, 1790, *ibid.*).

71. "I was disappointed in the effect which I supposed the assumption would have in the price of Securities, as it raised instead of lowering them." He had engaged considerable sum of So. Car. debt at not exceeding 3/8 "but was unfortunate enough a few days before the compromise took place & when the assumption was thought by the most knowing ones to be lost to part with it at 4/. in the £." At this writing it stood at 8/4 (Craigie to Sam. Rogers, Aug. 18, 1790 [1 Craigie Papers 33, Am. Antiq. Soc.]).

72. Craigie to Parker, Sept. 1, 1790, same date to Rogers, 1 Craigie Papers, 33-4.

73. Constable to G. Morris, Sept. 18, 1790: "I see you make your calculations upon the price of Debt at 9/. but the Sect^r gives 13/. of course that is the Mkt. . . ." (Letterbook, *op. cit.*). See *N.Y. Jnl. and Weekly Reg.*, Oct. 8, 1790; previous week Treasury had bought \$60,000 in final settlements in the market at 12s. 6d.

74. "Mr Cazenova a Dutch Agent I afterwards found was the fortunate purchaser & bot large sums besides on the same day" (Craigie to Rogers, Aug. 18, 1790, above).

75. To brother, Aug. 10, 1790 (1 Craigie Papers 37, *ibid.*).

76. To Alex. Ellice, Sept. 16, 1790, *ibid.*; much the same to G. Morris, Aug. 27, 1790.

77. David Hatch, opposite Old South Meeting, Boston, gave highest price "for Final Settlements, Loan Office Certificates, Indents, State Notes, Orders on back taxes, Army Notes, New-Emission and Old Continental Money" (*Columbian Centinel*, Sept. 4, 1790; cf. similar adv. of John Cunningham, jun., 75 Cornhill). In N.Y.C., John Graham, at 14 Water St., bought and sold public securities and did all kinds of business in commission and auction line (*N.Y. Jnl. and Weekly Reg.*, Aug. 20, 1790).

Chapter 10 (Pages 168 to 180)

Money Panic

1. "Caius" reprinted in *National Gaz.*, Phila., Jan. 16, 1792.

2. For a connected account see Joseph S. Davis, "Wm. Duer, Entrepreneur, 1747-99," in 1 *Essays in Earlier History of American Corporations* 111-316. His papers, mostly in the New-York Historical Society, condemn him for lack of judgment that became loss of integrity. His combination of self-mesmerism and cunning provoke blame and a kind of pity too. It is not clear whether he discharged his army contracts and his duty as president of the Society for Useful Manufactures dishonestly or was instead in these respects guilty of neglect. His affairs show how a bold and unscrupulous man could live handsomely and promote all sorts of projects on credit. This legerdemain does not belong to one person or period, but opportunities were excellent in the early years of the nation for building a house of cards. E.g., Duer's accounts in his papers, Vol. 2 and misc. Box. 7 in NYHS; records of land and stock purchases, especially those of 1791-2; a list of notes drawn for specified purposes by Duer and Walter Livingston and endorsed for each other or by "G.K." (Gen. Knox?); names of other business associates, not all confederates, frequently appearing are M[elancton] Smith, Royal Flint, Richard Platt, Benj. Walker, J. Pintard. Wm. Constable received \$6,600 for subscriptions to Bank of U.S. on account of Duer in names of Troup, Steuben, Chris. Colter, Catherine Duer, and more.

3. ALS April 17 [1791], Duer Papers, misc 2, NYHS; cf. same to same March 20, regretting he would continue the (army) contract, "for you surely have already vexations enough to kill half a dozen *common* spirits. . . ." Constable who ought to have known wrote to an interested friend, "Duer . . . is out at his own instance I assure you, such is the natural fickleness of his Temper that He cannot remain any where or pursue any scheme long—if He were not principal Director of our Land Plan I should have a much better opinion of it. . . . (To Jas. Seagrove, June 4, 1790, Letterbook, 1782-90, NYPL).

4. ALS, Jan. 21, 1792, *ibid.*

5. ALS, Jan. 18, 1791, Constable-Pierrepoint Papers, NYPL. Shortly Wm. Steele informed Duer at Phila., "K[no]x & B[oudino]t have not been able to take up all your notes as they fall due[;] some of them . . . I fear will be protested." Duer's chancy situation "has already become a topic . . . at the Coffee house. . . ." (ALS, April 7, 1791, Duer 2 misc., NYHS). Cf. Thos. Aborn to Duer, April 24, May 3, 1791, telling of notes for \$18,662.50 due in N.Y. May 4, and M. Mitchell, July 31, 1791 (*ibid.*), "Your credit is . . . amazingly depreciated, by your enemies."

6. ALS, March, 30, 1791 (11 HLC 1480-83). H forwarded at least one letter for Duer, concerning D's attempted purchases of large amounts of S.C. and Ga. debt (Read to Duer, May 27, 1791 [2 Duer Papers, NYHS]).

7. June 18, 1791 (Constable Letterbook, 1790-99, NYPL). Macomb wrote to Constable in London, "The rise of our funds since your departure must astonish you . . . & the facility of obtaining Cash by means of the national Bank & ours [Bank of N.Y.] tends to increase the Speculations" (ALS, Jan. 11, 1792, *ibid.*).

8. To Jas. Seagrove, June 19, 1791, *ibid.*

9. Dec. 29, 1791, signed by Macomb, not by Duer (2 Duer Papers NYHS). Macomb said of this project, "Duer & I are upon an adventure which before the end of the Year may amount to a pretty large Sum. His genius assures him that it shall be all done without any active capital farther than can be raised upon our joint Credit at the Banks" (ALS, Jan. 1, 1792, to Wm. Constable, Constable-Pierrepoint Papers, NYPL).

10. ALS, Macomb to Duer, Jan. 1, 1792 (Duer, *ibid.*).

11. ALS, Macomb to Constable, Jan. 11, 1792 (Constable-Pierrepoint Papers, NYPL).

12. Macomb to Constable, Jan. 11, 1792, above.

13. ALS, Duer to Walter Livingston, Jan. 10, [1792], R. R. Livingston Collection, NYHS.

14. ALS, Schuyler to H., Jan. 29; Jas. Tillary to same, March 1, 1792 (15 HLC 2048-9, 2067-8). Peter Collin hastened to inform Nich. Low, on his way home from Phila., of "the plans of a new Bank to be established in this City for which the Subscription was opened at 10 O'Clock this morning at Corre's Hotell and such was the rage for Speculation that about 12 O'Clock near 20,000 Shares was subscribed. . . ." (ALS, Jan. 16, 1792, Low misc., NYHS). Cf. N.Y. *Daily Adv.*, Jan. 17, 1792; committee appointed at Corre's (A. Macomb, Brockholst Livingston, *et. al.*) argued capital of Bank of N.Y. "is not sufficiently extensive for the increasing wealth and commerce of this city," and its "stock . . . sells at a most enormous advance

without any just cause, the company possessing no exclusive charter." *Ibid.*, Feb. 23, "Zeno" denied a new bank was needed.

15. ALS, Macomb to Constable, Feb. 1, 1792, Constable-Pierrepont Papers, NYPL; cf. *Nat. Gaz.*, Phila. Jan. 26, 1792, notice of meeting in N.Y.C. Jan. 19 to project Merchants' Bank.

16. Schuyler and Tillary to H., above.

17. Feb. 25 in *Nat. Gaz.*, March 8, 1792. A typical sortie of the opposition press was that "A prepared majority in the legislature are about implicitly to adopt the opinion of the infallible Secretary" supporting the excise. Titles in a speculators' nobility might be "Their Fullnesses," "Their Rapacities," "Their Pirate-ships," with arms, "A Leech, clinging to the bowels of an old soldier," or three packet boats under full sail for Charleston (*Nat. Gaz.*, May 7, 1792). Contrast for defense of the administration, *Gaz. of U.S.*, June 2, under Baltimore dateline and June 25, July 7, 1792. Henry Lee, Richmond, heard of H daily, "sometimes . . . mounted to the skys on the wings of fame, again whisked into the infernal pit" (ALS, June 23, 1792 [16 HLC 2208]).

18. H to Seton, Aug. 15, 16, and to Bank of N.Y., Aug. 16, 1791 (8 LHW 490-92 and n.). On Sept. 7, 1791, H authorized the bank to advance to Seton a further \$50,000 for this purpose (9 LHW 495).

19. Aug. 17, 1791, 493-4, *ibid.*

20. *Ibid.*, 495-6.

21. Sept. 30, 1791, J. A. Hamilton, *Reminiscences* 7; endorsement shows the lender sent a check for \$50.

22. Nov. 25, 1791, 9 LHW 498-9.

23. Jan. 24, 1792, *ibid.*, 501-2. Some months later H reminded Seton that the bank had a corresponding duty to the community. If it made a well-secured loan sought by the Paterson manufacturing society, H would say in confidence that the Treasury would not permit the bank to suffer on this account (May 25, 1792, *ibid.*, 512-13). Maybe this was a stretch of official discretion. The Bank of N.Y. made the loan (Seton to H, June 25, 1792, 5 JCHW 512).

24. To Henry Marchant, Newport, March 3, 1792 (Adams microfilm 115).

25. ALS, W. Livingston to Duer, June 19, 1794 (Duer Papers, misc. 2, NYHS).

26. By John Pintard, March 10, [17]92, R. R. Livingston coll., NYHS. The period embraced was Nov. 22, 1791-March 5, 1792. Most notes were for 60 days, some for 30 or 90; the last was due as late as April 7, 1792. Amounts were between \$1,050 and, the latest, \$15,000.

27. For Wolcott's letters to Richard Harison, see J. S. Davis, *op. cit.*, 290-4, 319 ff. The government case, enveloped in confusion, was dropped when Duer died insolvent.

28. ALS, March, 10, 1792 (2 HLC 2d ser. 221). The agent may have been John Pintard, in whose behalf Elisha Boudinot, his kinsman, appealed to H when P had been four years in jail in consequence of his trust in Duer. Pintard offered all to his creditors, but was not released in absence of a general bankruptcy law (ALS, May 23, 1796 [4 HLC 2d ser. 344-5]).

29. H to Duer, March 14, 1792 (9 LHW 502-3).

30. ALS, March, 19, 1792, undoubtedly to Duer (Duer Papers, misc. 2, NYHS).

31. ALS, R. R. Livingston coll., NYHS.

32. ALS, March 23, 1792, *ibid.*; cf. same to same, from "New York Prison," March 28, April 10, 12, 15, May 19, 1792, saying yet again that he could indemnify his endorser. However, see Livingston to Duer, May 3 (in distress); Burr to Livingston, June 18 (reporting no progress in compromise with L's creditors); Livingston to Duer, Aug. 8, 1792 ("I expect the sheriff . . . this week to take . . . maybe the very beds of my children"). Livingston letters are in 2 Duer; Burr's in R. R. Livingston coll., NYHS. See, *ibid.*, also a trailing misery of implausible expedients; evidently from jail, 1792, Duer entreated Capt. Walker to send him \$30 before nine o'clock so he could dispatch "a Person to Philadelphia on an Operation of great moment" that would extricate him from old debts and make Walker rich for life (Duer misc.).

33. ALS to H., March 23, 1792 (15 HLC 2078).

34. March 25, 1792; 1 *Writings*, Rives ed., 550; it was said that Duer had borrowed at 3 to 6 per cent a month. Schuyler was called to advise a friend (doubtless Walter Livingston) who had endorsed for Duer to the extent of £160,000 with inadequate security, and saw his whole estate forfeited if he made good Duer's debts. The panic of purse made a panic of mind; "heaven only knows," Schuyler exclaimed, "what will be the . . . result of all this confusion, suspicion increases and every man seems afraid of his neighbour" (ALS, to H, March 25, 1792 [2 HLC 2d ser., 226-7]).

35. 5 JCHW 498-500.

36. Seton to H., March 26, 1792, *ibid.*, 500-501.

37. H to Seton, April 4, 1792, *ibid.*, 501-2.

38. ALS, Seton to H., April 9, 1792 (15 HLC 2098). Probably the very next day H got word from Nich. Low that "The Failure of John Dewhurst may be attended with a total loss to the Manufacturing Society of the money

entrusted to him" (ALS, April 10, *ibid.*, 2102). The same day a N.Y. businessman, otherwise unscathed, said he must receive overdue debts in installments. "The failures already taken place here, and many more . . . yet to come, will ere long . . . injure . . . Philadelphia, and in this City . . . many who were . . . worth handsome fortunes . . . 3 or 4 months ago, are now . . . probably not worth a groat, in case they were to pay all their debts" (Peter Anspach to T. Pickering, April 10, 1792 [41 Pickering Papers 68], MHS; cf. ALS Wm. Cooper to Nich. Low, May 10, 1792, Low misc., NYHS).

39. ALS, Seton to H., April 11, 1792 (15 HLC 2103), evidently by express, marked "Private."

40. H to Seton and to Bank of N.Y., April 12, 1792, 5 JCHW 502-3.

41. Seton to H., April 16, 1792, *ibid.*, 505. Seton's return (May 5, 1792) of purchases for the sinking fund, April 2-13, shows he bought of 95 individuals and firms, usually a thousand dollars the sum, but sometimes larger (Gulian Verplanck, \$9,250; Nich. Fish, \$2,186.15); the total was \$151,098.89 (ms. in Bank of N.Y. Hist. Coll.). H allowed the excess of \$1,098.89 (to Seton, May 10, 1792 [5 JCHW 503]). Office of Dr. Cochran, N.Y. commissioner of loans, was under extreme pressure in recording transfers of certificates; Cochran, H's uncle by marriage, was unequal to supervision of sixteen clerks (ALS Seton to H., April 29, 1792 [15 HLC 2011-12]).

As Treasury support of public stock was necessarily grateful to the Bank of New York which had loaned to speculators embarrassed in the falling market, the secretary determined to dispose of his single share in the bank. Seton, commissioned to sell it, expressed "regret, that the extreme delicacy of your feelings should induce you to part with a stock so extremely more valuable than its present price in the market," only 28 per cent premium, but bound to recover. H's dividends between November, 1790, and May, 1792, had amounted to \$321 (Seton to H., May 28, 1792 [5 JCHW 509-10]). H sold anyhow. A ms. list of stockholders and votes for the general election of directors, May 8, 1792, as corrected April 17 of the next year, shows H had one share but his name is crossed out (Bank N.Y. Hist. Collection). H's private letter six weeks later to Seton informs that all his property in the funds was about \$800, 3 per cents. These, earlier (evidently when their price was higher), he would have sold had he not "been unwilling to give occasion to cavil." In light of a recent opinion of the attorney general that officers of the Treasury might not dispose of stocks, though acquired before Congress prohibited such dealings, he would in his own case follow the strict interpretation and hold what he had. The law itself was unexceptionable, but he doubted whether it should apply retroactively (June 26, 1792 [9 LHW 540]).

42. May 10, 1792 (5 JCHW 503-4). On quitting the Bank of N.Y. to establish a mercantile firm in the city, Seton reminded H that he was due

commissions for his purchases of stock for the Treasury if such were allowed to others (ALS, June 16, 1794 [22 HLC 3096-7]).

43. April 16, 1792, Gouverneur Morris Papers, Columbia Univ.

44. H to Duer, April 22, 1792 (5 JCHW 506-7). Ten days earlier Duer enjoined on his creditor, Walter Livingston, "Any plan by which you can gain Time, till Hamilton arrives, and restore[s] to you . . . Tranquillity . . . Necessary to Recover the Tone of your mind . . . must be adopted" (April 12, 1792, R. R. Livingston coll. NYHS).

45. Claims for value actually delivered stood above mere paper contracts. Loans by women, ignorant persons, and trustees of infants, if usurious, would be scaled to legal interest, but these came before commitments to "veteran usurers," who might be found actually to owe Duer. "God bless you and extricate you with reputation. . . . Be honorable, calm, and firm" (May 23, 1792 [9 LHW 510-12]; perhaps acting on H's earlier plea, Duer had already resolved that Bank of N.Y. should be first paid; to W. Livingston [May 19, 1792], R. R. Livingston Coll., NYHS). Troup also was advising Duer, suggested his creditors would settle for 15s. in the pound (Duer from prison to W. Livingston, March 24, June 21, 1792, *ibid.*). Seemingly the Bank of N.Y. would accept for \$79,000 Duer owed it notes of Walter, Henry, and Robt. Livingston (*ibid.*, Aug. 17, 1792).

46. 10 LHW 49-50; the date, as Lodge notes, must have been later in the 1790's, not 1793 as given in JAH, *Reminiscences* 5. For Duer's reflection, in prison after his failure, that "my real Indiscretion in the variety and Extent of my Operations and the Unwarrantable Confidence I placed in others deserved a Severe Correction in the School of Affliction," see his undated ms., 2 Papers, NYHS. Kind of assistance Duer could give his family, when paroled from prison, is doubtless illustrated in deed releasing dower rights of Catherine D. in Washington County lands (March 23, 1796, NYSL and other items in this packet). For Knox's help to Duer with his creditors, in conjunction with H, see ALS, to Duer, Aug. 17, 1796, Duer Papers, NYHS. For a pathetic incident of Duer's incarceration, see his note, Christmas eve, 1798, to his son who had neglected to visit him in prison, with one to his wife giving her expectation of "a small supply of Cash" (Duer Papers, NYHS). Cf. Lady Kitty Duer to Jas. Greenleaf, July 11, Aug. 22, Sept. 29, 1800, pleading for payment of some interest on his debts to her deceased husband to enable her to meet her arrears of rent (old Congress autograph letters, PHS). H's friend Robt. Troup was one of the sureties in amount of \$45,000 that Duer, "permitted by the . . . Sheriff to go at large within the liberties of the Gaol," would not violate these limits (agreement in misc. Duer Papers, NYHS). A sufficiently unpleasant picture of what went on in the jail is in minutes of court conducted by prisoners, July 17, 1795, and petition of prisoners, March 7, 1796, though sharp distinction was made between debtors and criminals (Duer misc., NYHS).

47. When H was attacked for purchases for the sinking fund at prices above the market, he asked Seton, who had often been agent of the Treasury, for copies of all orders. "In the hurry of dispatching some of them, no copy was kept. And some incidents of late require, that I should carefully review the ground" (AL, sig. and date torn, postmarked "Oc 22 [1792])." That H., with two fellow trustees of the sinking fund (Jay and Jefferson) not available at the capital, had on occasion disregarded the letter of the law is implied in Seton's remark. Enclosing copies of all of H's directions for purchase of the debt, he hoped "no disagreeable event has occurred to cause a review of what was so eminently beneficial to the Community at large." Maybe Seton had in mind the waxing Cabinet dispute between H and Jefferson. By this time (Oct. 26) the panic was well over, for Seton actually wished that stocks might fall so foreigners would buy and remove danger that banks might be drained of specie to pay for "overgreat Importations from Europe" (18 HLC folio 2711-12).

48. More than a century later, the Federal Reserve system was authorized to apply its supplements and correctives in local banking situations, still later the Reconstruction Finance Corporation and other federal agencies were similarly empowered, and the Tennessee Valley Authority extended comprehensive help to a depleted region.

Chapter 11 (Pages 181 to 198)

Society for Useful Manufactures

1. For a detailed, expert account see Joseph S. Davis, "The 'S.U.M': the First New Jersey Business Corporation," in 1 *Essays in the Earlier History of American Corporations* 349-522. Original corporate seal is in SUM collection, Paterson; brass, size and shape of silver dollar, with device of a hive, buzzing bees, over all a grape arbor, and on circumference "Society for Establishing Usefull [*sic*] Manufactures."

2. Aug. 9, 1791 (12 HLC 1545); signers were Low, Duer, Constable, LeRoy, Platt, Macomb.

3. Minutes of the Proceedings of the Directors of the Society for Establishing Useful Manufactures (471 folio pp., in office of Plant Management Commn., City of Paterson, N.J.), 1 ff. H's letter was dated Phila., Dec. 7, 1791. Marshall's application to H, New York?, July 19, 1791, was written within a week after his arrival from England, at the instance of Henry Cruger, Duer, and Comfort Sands. Like Slater, he was obliged to come without documentary proof of his competence, but claimed full experience in Arkwright's employ. Hall, investigating Marshall at H's request, reported

(Aug. 29, 1791) he was deficient in practical knowledge, since his "modells . . . will not work." Draft of H's agreement with Hall bound latter to direct construction and operation of cloth-finishing machinery for £600 annual salary and 5 per cent of profits. Documents are conveniently found in A. H. Cole, ed., *Indus. and Comm. Corr. of H.*, 184-188.

4. Cole, ed., 199-200; see H's letter to directors, Minutes 1 ff., and Terence O'Neill to H, Sept. 20, 1791 (12 HLC f. 1875-6), Cole, 207. Others brought candidates to H's notice; Gallatin through Tench Coxe commended a French papermaker (1791? 14 HLC 1905); Flint, a "young mechanical genius" suitable for SUM (Dec. 21, 1791, *ibid.*, 1891, 1934-9); perhaps Wolcott or Wadsworth referred three Connecticut men to H's attention (jotting in H's hand, 1791? of names of Hubbard, Middletown; and Elisha Colt and Dan'l. Jones, Hartford, *ibid.*, 1876A). An agreement of Duer, Nov. 29, 1790, with Jerome Trenet, late of France, for drawing wire (Duer Misc., Box 7, NYHS) may be related to a scheme to exploit Schuyler's copper deposits in N.J.

5. After four years of the cotton manufactory at Beverly, Mass., Sept. 6, 1791: ". . . a want of skill in constructing the machinery & of dexterity in using it, added to our want of a general knowledge of the business we had undertaken, have proved the principal impediments to its success—destitute of the necessary information ourselves we were subject to be misled by every pretender to knowledge—a number of Europeans . . . have been successively employed by us, but as no one of them was master of any branch of the business, . . . one only has remained in our service" (Cole, ed., 62). This letter was written a fortnight after H made his agreements with Marshall, Hall, Mort, and Parkinson, late in August. Cf., about date of Cabot's testimony, anonymous adviser to H, *ibid.* 202: ". . . unless God should send us saints for Workmen and Angels to conduct them, there is the greatest reason to fear for the success of the plan."

6. Contrary to H's expectation, practical European textile men, capable of planting the industry here, were not attracted to this country. Samuel Slater was the shining exception. The problem was difficult in any case, for immigrants could not bring drawings or models, and those employing them could be furnished no credentials by which to judge. When modern cotton manufacture was established in the Southern states, about a century later, American-made machinery and tested superintendents from New England mills were available; cf. B. Mitchell, *Rise of Cotton Mills in South*.

7. One of these meetings throws a sidelight on the readiness of Coxe to be critical of H. Coxe had learned from Mrs. H that H could not return from Newark for several days, "from which I conclude that you mean to make a complete arrangement of the Business of the Manufacturing Society." Yet H's absence from the Treasury was delaying opening of the new loan and dispatch of new forms for the excise. H., though he regarded the SUM as a proper object for some of his effort, was careful to endorse this letter,

"I returned on the afternoon of the day this Letter was written & on Monday Morning gave my opinion of the papers prepared" (ALS Coxe, "Sunday night" 1792? 18 HLC 2448-9).

8. Minutes, 34; this was second day of meeting, for directors assembled slowly.

9. 8 JCHW 245-7.

10. *Ibid.*, 35-36. Musconitcong, Skulls falls, and South River were eliminated. See reports to H and to Tench Coxe on possible mill sites in N.J., by Marshall, Hall, Mort, Guest, Lowrey, Halstead, late summer and autumn, 1791 (Cole, 186ff.). H himself had made some inquiries about mill seats near New Brunswick, but did not at this time go to Great Falls of Passaic, though he knew that place during the war. Decided weight of testimony was for Great Falls, due to superior power.

11. *Ibid.*, 37. H, interceding with the Bank of N.Y. for a loan for the SUM, received from Seton, the cashier, a response so cordial as to make him extra cautious: ". . . be assured [the directors] have so much confidence in any measure pointed out by you, & take so much pleasure in promoting your views" because anxious in some degree to discharge obligations of the Bank to H (ALS, Seton, June 25, 1792 to H, 16 HLC 2216; cf., similarly, same to same, May 28, 1792, *ibid.*, 2175).

12. Minutes, 39.

13. Schuyler had sawmills at Saratoga, was now actively concerned in improvement of the Mohawk; see ALS, Schuyler to Elkanah Watson, May 20, 1792, who should subscribe for him to additional shares in Mohawk Navigation because "I am under . . . engagement to return to Jersey to assist in determining the spot where the Manufacturing town & works are to be placed" (Morristown Hist. Mus.).

14. *Ibid.*, 42-3; society paid \$250 to get Ogden released from his commitment (*ibid.*, 50-51). It may be that H first saw the falls of Passaic in early July, 1778, when Washington and his staff paused there en route to Paramus after battle of Monmouth (see Jas. McHenry, "Journal of a March[,] a Battle and a Water Fall," Emmet Coll., NYPL; cf. Thos. Anburey, 2 *Travels* 155). Cf. copy H to Bayard, Low, and Elisha Boudinot, counselors of directors of SUM, June 1792? (14 HLC 1932-3). His original impressions were confirmed by a full conversation with Schuyler. A canal would take too much of the company's means; best "erect the necessary buildings near the Great Falls." The town should be a square for compactness, easy policing. Directors should be called, as "Many things press and much will depend on going forward henceforth with ardor and dispatch." Cf. Wm. Hall (to Elisha Boudinot or H?), Paterson, Aug. 4, 1794 (16 HLC 2256), estimating cost of conveying water to the cotton mill.

15. The only place of entertainment among fewer than a dozen houses in the vicinity. It stood at what is now intersection of Broadway and Washington streets, a long, two-storied frame building, double-pitched roof, painted yellow. Abraham Godwin (1763–1835) seems to have been operating the house at this time, in succession to his father and mother who for years had been innkeepers in the locality. The property was bought by SUM in Nov., 1792; the building stood until the middle of the nineteenth century when it was displaced by the Baptist church. (Wm. Nelson, *History of the City of Paterson and the County of Passaic, New Jersey*, 272 ff., appears to be most accurate; also *ibid.*, *History of the Old Dutch Church at Totowa . . . 1755–1827*, 27.)

16. The original is among SUM papers in office of Plant Management Commn., City of Paterson. It embraces the Township of Paterson, from slightly above Little Falls to Third River, on scale of 40 chains to an inch. The society's property seems to have contained 264.45 acres.

17. Minutes, 44–45. Inexperience of the directors, not precisely informed, either, by Thomas Marshall or the other superintendents, made for vague description of purposes of all but print shop and calendar house. The "cotton mill" of "8 Drums" (cards?), 55 by 32 feet, four stories and cellar, double floored with inch boards "so as to break the joints of the boards to prevent dust," was to cost, building and machinery, \$15,000. Printworks would be larger but only three stories, \$12,000. The factory for "spinning weft, and weaving," elsewhere described, however, as the "carding and roping [slubbing?] house," should be 64 by 36 feet, two stories, and cost entire \$6,000. The carding and spinning machinery was surely to be on the Arkwright (not jenny) model, much as had been set up by Slater at Pawtucket the year before. The weaving was to be on hand looms with hand-spun linen warp. (Cf. for some confirmation Victor S. Clark, 1 *History of Manufactures in the United States* 533–535.) All three buildings have disappeared; the cotton mill, which burned shortly after H's death, stood nearest the commencement of the canal, next to what was later the Ivanhoe Mill, and had about a 15-foot drop of water. For James Kent's brief description of this "famous Stone Building" in 1793, see *N.J. Hist. Soc. Proceed.*, LXXIII, No. 4, Oct. 1955, p. 302. Part of the foundation survives, as does original masonry in the canal.

18. Minutes, 47–48. Small dwellings could be bought for \$250 each, house and lot, or rented for \$12.50 a year.

19. *Ibid.*, 53–54. Besides certificates for 145 shares issued earlier to Mercer, the demands of Robert Troup and Richard Harison (25 shares each) had been met by Walker.

20. A textile town, projected in South Carolina under roughly similar circumstances a half-century later, is illustrative in its contrast with the SUM. At Graniteville, William Gregg was not only promoter and president

of the corporation, but he made himself engineer and resident manager. He built his home on the spot (like Paterson, at first open country). He watched every stone of the mill building laid according to his design, knew—if he had not chosen—the humblest worker, intimately supervised every process from raw cotton to customer for cloth. Until success was assured, he served in this arduous daily round without salary. In fact, if any criticism is to be lodged, he was too much the master of his directors, but profits were effective persuaders. In comparison, the SUM was fumbling to the point of irresponsibility. (See B. Mitchell, *William Gregg* . . . [University of N.C. Press, 1928].)

21. Minutes, 56 ff. For cotton mill: 4 carding machines, 4 roving-billies, 4 slubbing machines, 25 spinning jennies, 60 single looms; the jennies, unless temporary, belie the supposition that the mill was on the Arkwright model.

22. ALS, Sept. 17, 1792 (17 HLC 2360–61). Philip Schuyler, who was consulted on the power problems of SUM, must have disapproved L'Enfant's ambitious plan; see his objection to a stone aqueduct over Hudson proposed for Inland Lock Navigation Co. (to Josiah Ogden Hof[f]man, Feb. 23, 1793, NYSL).

23. Minutes, 8, 13–14.

24. An opponent of the SUM said that H's late report "by . . . ingenious sophistry" attempted to show manufactures in this country were not premature. However, "the price of labour in this country . . . and the impossibility of . . . retaining an adequate number of experienced citizens" proclaimed the contrary (*Nat. Gaz.*, Nov. 14, 1792).

25. *N.Y. Daily Adv.*, March 10, 1790.

26. Dec. 8, 1791 (British State Papers, Ford transcripts, NYPL). Cf. same to same, Feb. 2, 1792; the SUM had agents at Birmingham and Bristol, the latter soliciting glassmakers.

27. *Nat. Gaz.*, March 1, 1792.

28. ALS, from Belfast, to H., April 6, 1792 (15 HLC 2090–91). Seton, cashier of The Bank of N.Y., performed numerous services for government. He received Pearce, the Irish cotton manufacturer, and his models, and took Pearce's note for a loan of \$120. This Seton sent to Cox, "as Mr Jefferson wrote me all charges would be thankfully repaid," but that was a year ago and Seton was still expecting to be reimbursed (ALS, Seton to H, May 28, 1792 [16 HLC 2175]). At same time thirteen weavers visited Pearce's factory in Penn St., Phila., and published their certificate to excellence of his "double loom, in which one man can weave two pieces at the same time, 42 inches wide, with equal facility to one piece in the common loom. . . ." Early in June the President, Sec. of State, and Sec. of the Treas. and their ladies visited the establishment (*Gaz. of U.S.*, June 6, 9, 1792).

29. LS, Archibald Mercer, Dep. Gov., to H, April 6, 1792 (16 HLC 2095-6); cf. same to same, April 30, 1792; Duer must be replaced as gov. H's presence at an early meeting was "absolutely necessary," since "we all have a full confidence in you" (15 *ibid.* 2394-96). H at next meeting entreated Walker and another to make a quorum (ALS, July 6, 1792, Houghton Library).

30. Minutes, 22, 24.

31. April 16, 1792; text in 1 J. S. Davis, *op. cit.*, 414-15.

32. Minutes, 25. A European investor in SUM was pleasantly surprised when shares sold at 12 per cent advance. "We thought our subscriptions to it, a losing speculation" (ALS, Nich. Hubbard, Amsterdam, to Wm. Short, Jan. 12, 1792, Short Family Papers, LC). Unhappily, he was soon to learn better.

33. Minutes, 28-32.

34. ALS, Walker to H, Jan. 12, and Nich. Low to same, April 10, 1792 (15 HLC 2018, 2102); auditing committee report, no date, SUM office, Paterson.

35. ALsS, H to Walker, July 20 (Columbia Univ.), 23, 1792 (Huntington Lib.). For reasons he gave, the bills should not be allowed to go to protest. In spite of financial troubles, the society should furnish Geo. Parkinson, one of the contract mechanics, \$100, as his family was in distress in N.Y. If Walker lacked authority, H would advance the sum, as "It will have a bad effect to let the persons employed suffer."

36. A sheet of accounts, 1791-1792, mostly with employees and agents, gives those of mechanics engaged by H for the society—Jos. Mort, Thos. Marshall, Wm. Hall, Wm. Pearce. The last had been "paid . . . at sundry times by Col^o Hamilton & Benj^a Walker & others, \$4021.25," and from the same sources Geo. Parkinson had received on account \$303.55. It must have been for such payments, and perhaps travel expenses, that H drew on Abijah Hammond, cashier of the SUM, Aug. 1, 1793, for \$1,811.10 in favor of Jonathan Burrall, who receipted for it Aug. 5 (SUM office, Paterson).

37. Minutes, 89.

38. *Ibid.*, 92.

39. *Ibid.*, 105-106.

40. Minutes, 76.

41. *Ibid.*, 77.

42. Minutes, 18.

43. ALS, May 3, 1792, Huntington Lib. The prospectus of the SUM had been emphatic that the project would require a superintendent of all the works: "This Agent ought to have such a compensation as will command the services of a man every way competent and trust worthy. . . . It is not necessary that he should be a technical man in any of the branches of manufacture, but a man of information, thoroughly a man of business, of probity and diligence and energy" (Copy in 14 HLC 1923-30). A knowing adviser at the outset urged against undertaking a dozen sorts of manufactures as leading to waste and failure; better be content with three or four principal branches and maybe lease privileges to private enterprises (*ibid.*, 1940-41).

44. Minutes 79; Nelson and Shriner, 1 *Paterson* 330.

45. See ALS, Marshall and Pearce, Paterson, Oct. 3, 1792 to H (17 HLC 2385-6).

46. Nov. 5 (retained copy in H's hand), Nov. 9, 1792, witnessed by John Meyer, a Treasury clerk, 18 HLC 2411, 2417-18. Campbell was to try to buy 8 stocking frames, 1 finishing press, tools for 4 workmen to be employed in making frames; also 8 stocking frame knitters, 3 frame smiths, 1 upsetter under contract to serve three years at wages not exceeding by more than 10 per cent those paid them in Scotland. H made an advance of \$150 to Campbell. Evidently H's agency as a figure known abroad was necessary in a business so hazardous to the Scottish shippers.

47. Nov. 14, 1792. H advocated the SUM so he could plausibly augment "the present astonishing rates of impost, under the . . . pretext of encouraging domestic manufactures."

48. Jan. 1, 1792, Constable-Pierrepoint Papers, NYPL. Also, Macomb had engaged Constable's house in a scheme of the same few directors to buy the *America* when she arrived and keep her in the New York-Calcutta trade "with a view particularly to supply the manufacturing society with White Cloths for the printing business," some 50,000 pieces a year. Cf. same to same, Jan. 11, Feb. 21, 1792, *ibid.*

49. ALSs, Colt to H., Feb. 28, March 27, July 18, 1793 (18 HLC 2512-13, 2543-4; 20 *ibid.* 2741); H (surely to Low), April 15, 1793, H Papers, Columbia Univ. Hamilton from the autumn of 1791 into the following summer made numerous and in the total sizable advances to mechanics engaged for SUM for maintenance and to permit them to construct equipment. Amounts from \$40 to \$250 were given Wm. Pearce eight times, \$100 went to Geo. Parkinson, Thos. Marshall had been advanced a year's salary and later wanted to borrow of H \$100 (2 and 3 HLC, 2d ser.). These sums came only temporarily from H's pocket, but show his eagerness to forward the enterprise. Later he sent to Paterson a workman who could not be used without discharging Pearce or Marshall (ALS, P. Colt to H, Sept. 8, 1793 [3 HLC *ibid.* 256]).

50. Minutes 92.

51. Colt to H., Feb. 28, March 27; Low to same, March 4, 1793, above.

52. ALS, L'Enfant to H., March 26, 1793 (18 HLC 2536-7).

53. ALS (to Low), April 15, 1793, above.

54. ALS, Colt to H., May 7, 1793 (19 HLC 2637-40). Soon Low was applauding progress on the aqueduct, was "in hopes the thing will at last succeed" (ALS to H., June 27, 1793). When Colt informed that Hall and most workmen were discharged, and the printing department was at a stand, H at the right juncture sent Taylor, who might be "useful . . . in the Printing Branch" (ALS, July 23, 1793, to Colt, 3 Conarroe Papers 8, PHS). Hall was aggrieved, complained to H that he had lost by his connection with the society, and wanted to be paid for three months' work—in choosing the site and securing the charter from the N.J. legislature—prior to the time when his salary commenced. Hall visited Duer in prison in NYC, got his support for the claim (ALS, Duer to H., Sept. 7, 1793, and Hall to H., same date, 20 HLC 2819, 2821).

55. ALS, Oct. 16, 1793 (21 HLC 2845-7).

56. ALS, Henry Kuhl to Wolcott, Oct. 21, 1793 (19 Wolcott Papers, CHS).

57. SUM papers, Paterson. In April, 1793, Thos. Marshall, with increased salary, was to instruct persons "in the art and mystery of making and erecting Cotton Mill Machinery, and Spinning thereon by Water" (Minutes, 83).

58. Minutes, 92-93, 97, 106. A calico-printing factory on the Brandywine near Wilmington was advertised for sale in 1799 (*Aurora*, Phila., May 20); its small and large coppers, blocks, callender, turning lath, screwpress, scouring, iron liquor tubs, printing machine wrought by water, rollers complete, and imported cutter's tools may have been property claimed by SUM.

59. After these men were dead Paterson did become, by benefit of Asia, the "silk city."

60. Minutes, 93, 94, 97, 99. The labor policy was not without a note of charity, for \$30 went to the relief of Robt. Gilchrist, "an useful Mechanic sent to the Factory by Col^o Hamilton, and who had the misfortune of being taken sick and continued so for six months, so that he is reduced to distress with his family" (86). Another worker, who suffered an accident, was similarly helped.

61. *Ibid.*, 100-101; H's agreement with Mort was dated Aug. 22, 1791 (*ibid.*, 13).

62. Minutes, 105-120. As H led in engaging mechanics for SUM, so he was concerned for eligible ones "thrown out of business" when the manufactory became defunct. Not wanting to see Thos. Marshall, "who erected

& directed the Cotton Mill," leave the country, H recommended him to Wolcott for temporary employment as a copying clerk. In same letter H urged cotton factory at New Haven be given army contract for shirting (ALS, May 27 1796 [7 Wolcott Papers, CHS]). Shortly before, Marshall applied to Mayor Varick to construct works for supplying NYC with tea water (ALS, March 18, 1796, Varick misc., NYHS).

63. Minutes, 121–128. No more meetings are noted until ten years after H's death (April 5, 1814). Gov. Elisha Boudinot in this interval had acted for the corporation whose business, as town proprietor, under war stimulus, was "flourishing beyond the most sanguine expectations. . . ." Roswell L. Colt, son of the old superintendent, and now the principal stockholder, was appointed "Standing Agent." A schoolhouse and church were to be built to serve the multiplying population of Paterson. A fresh option to stockholders to dissolve the SUM was either ignored or turned down, for promptly cash was sought to recommence cotton manufacture. The State of N.J. exchanged its 100 shares for land, and R. L. Colt bought the stock at a price above par (127–136). The corporation was long-lived, prospering from real-estate holdings and power leases until the City of Paterson bought out the stockholders, Oct. 22, 1945.

Chapter 12 (Pages 199 to 221)

"Imperfect Sympathy"

1. Findley, 3 *Annals* (i.e. 2d Cong., 1–2 Sess, 1791–93), 1849 ed., 447, 449.
2. Sedgwick, *ibid.*, 439, 440.

3. Sedgwick mocked that his opponents claimed "all the qualities of profound financiers; but when they were to consider the reports of the secretary they became [by their own account] at once transformed into restless dupes, incapable of any investigation, . . . quietly sailing down the stream of Ministerial influence" (*ibid.*, 1849 ed., 439).

4. Page, *ibid.*, 443–4.
5. March 8, 1792, *ibid.*, 452.
6. *Ibid.*, 473.
7. *Ibid.*, 610.
8. *Ibid.*, 677–8.
9. *Ibid.*, 696, 698.

10. *Ibid.*, 698.

11. *Ibid.*, 698–706.

12. See especially Ames, *ibid.*, 716, 719–20, with his usual insight and gift of statement.

13. *Ibid.*, 707–8, 721.

14. *Ibid.*, 722. Some years afterward Findley again condemned Congress for having given H so much authority in money measures. “In the exercise of this power the Secretary originated every plan for raising money, and brought every demand for revenue before Congress.” This transfer to the secretary could be accounted for only by “a combination of surprise and corruption” (*Review of Revenue System*, 1794, 48, 50).

15. Schuyler to H, Jan. 29, 1792 (5 JCHW 492–4).

16. ALS, Isaac Ledyard to H, Feb. 1; LS, Jas. Watson to same, Feb. 2, 1792 (15 HLC 2050–2), printed 5 JCHW 494–6. Ledyard’s letter was to be delivered to H by Schuyler.

17. ALS, Isaac Ledyard to H, Feb. 28, 1792 (15 HLC 2058). Ten days earlier, immediately Jay was nominated, Ledyard knew that the Chief Justice, and not Burr, had Hamilton’s backing. However, Ledyard trusted, by strange reasoning, that H was not unfriendly to Burr as a rival candidate (same to same, Feb. 17, 1792, *ibid.*). Some weeks afterward, when Burr was out of the running, Ledyard himself was glad that “The prospect of Mr Jays success brightens. . . .” This was his only joy, for he wrote in distress of pocket and spirit; the House had turned down his appeal for correction of his accounts with the public, and were it not for his wife and infants he would “soon close the unvarying scene of my disappointments & mortifications. . . . Pitty & forgive what your firmer mind sees wanting in my philosophy” (same to same, March 27, 1792, *ibid.*, 2080).

18. 5 *Hist. Repub.* 25.

19. Rufus King alerted H to the danger if Burr was not blocked. “If the enemies of the Government are secret and united we shall lose Mr Adams.” Burr’s supporters were active in Connecticut, and Dallas and Mifflin promised to swing Pennsylvania behind him. “Should Jefferson & his friends unite in the project, the votes for Mr A. may be so reduced, that though more numerous than those for any other Person, he may decline the Office,” and “should they succeed in degrading Mr Adams, much would be to be apprehended in respect to the measures which have received the sanction of Government” (ALS, Sept. 17, 1792 [17 HLC 2362]).

20. H to King, Sept. 23, 1792 (1 *Life and Corr. of King*, 427).

21. AL, Sept. 21, 1792, to unknown, (17 HLC 2373) in accordance with promise to King to exert himself against Burr.

22. AL, Sept. 28, 1792, to unknown (*ibid.*, 2377). The character of the campaign to supplant Governor Clinton appears in a letter from an Albany committee to John Jay and Richard Varick. At this time Yates was the Federalists' candidate. "The present critical Situation . . . , the Risque which must attend any Divisions among us at the next Election and the certainty that no Individual can succeed against the present Governor without the universal Support of the commercial & federal Interest in the State will . . . be . . . of sufficient Weight to induce his Compliance" [1792] draft, 38 Schuyler Papers, NYPL. One Albanian who did not respond was Elkanah Watson. He avowed himself a Federalist of 1783, whereas others of his party a decade later had abandoned "our great, and good allies," i.e., the French. In the agitation which in the end "hurl'd Old George . . . Clinton from the throne; General Schuyler the . . . leader of the federalist party . . . proposed to me to be held up as a Member of Congress for Albany C^o of which he had the entire controul, but on catechising my political creed . . . he shun'd me, as If bit by a mad dog & was my deadly enemy the rest of his Life" (Watson, Letters to and from Distinguished Men, 62-4, no date, NYSL).

23. Jay to J. C. Dongan, Feb. 27, 1792 (H. P. Johnston, ed., 3 *Corr. and Papers of Jay* 413-15). A supporter of Clinton (*N.Y. Daily Adv.*, Feb. 29, 1792) declared "at the last election . . . the scurrilous letters of H.G. did the Governor no harm. He was detected in many misrepresentations, and at length fairly driven from the field. . . ." When Yates withdraw his candidacy, "it was determined by Gen. Schuyler and the Secretary of the Treasury (without whose consent no measure of consequence is adopted, by a certain party in this city) to hold up Mr Jay." Jay's willingness to run might be laid "to his great devotion to the secretary." "A Farmer" (*ibid.*, March 3, 1792) previously for Clinton opposed him since "the immense accumulation of influence" of the Livingstons was on his side. That family did not repulse "encroachments of the general government upon that of the state," but wanted Clinton to become Vice President, when the chancellor would be governor and succeed to Clinton's influence. On Jay's nomination, see S. B. Webb, 3 *Corr. and Jnls.* 175-77.

24. Sept. 21, 1792, to unknown, above.

25. Certificate of majority of the canvassers, headed by Melancton Smith, June 12, 1792, is in NYSL.

26. [N.Y.] June 10, 1792, Jay 3 *Corr. and Papers* 427-30; cf. same to same, May 20, June 13, and Mrs. Jay to Jay, June 10, 1792, *ibid.*, 424 ff. For King's opinion, 1 *Life and Corr.* 411-12; Burr's opinion given to Board of Canvassers covering votes in Otsego, Clinton, and Tioga counties was technical in character (DS, June 8, 1792, Huntington Lib.; part is in King, 412-14, and more in Davis, 1 *Memoirs of Burr* 339). Troup had earlier given his legal opinion "plumply against" the majority (to Jay, May 20, 1792, above) and later joined with other leaders of the N.Y. bar (Harison, Law-

rence, Van Vechten, etc.) in a statement to the public (N. Cruger, chm., "Circular to Free and Independent Electors," June, 1792, *N.Y. Daily Adv.*, July 14, 1792, photostat in NYPL).

27. To DeLamater, a Federalist, in 1 King, *op. cit.*, 414-5. Troup and his friends called Burr's opinion "such a shameful prostitution of his talents, and so decisive a proof of the real infamy of his character, that we are determined to rip him up" (3 Jay 428-9). J. O. Hoffman, one of the pro-Jay lawyers, observed, "the ingenuity of Col Burr was not in vain. He acted a principal part in the Drama, or rather remained behind the scenes, *slyly* instructing each Man in his *part*. . . . whether he was urged by a resentment to a more fortunate Rival, or by motives yet more base & mercenary, God only knows. . . . I pity the man. . . ." (ALS to Peter Van Schaack, June 26, 1792, N. Low misc., NYHS).

28. N. Cruger, "Circular," *N.Y. Daily Adv.*, July 14, 1792.

29. ALS, to J. B. Schuyler, July 7, 1792 (38 Schuyler Papers, NYPL); see, e.g., report of meeting of Otsego freeholders, *Gaz. of U.S.*, July 18, 1792.

30. From East Hartford, June 18, 1792, 3 *Corr. and Papers* 434-5.

31. See *Gaz. of U.S.*, July 11, 18, 21, 25, 1792. Jefferson, reviewing the facts, informed Monroe, "upon the whole it seems probable that Mr Jay had a majority of the qualified voters, and I think . . . that Clinton would have honored himself by declining to accept. . . . to retain the office when it is probable the majority was against him is dishonorable." He gave no symptom of refusing," though "from the tumultuous proceedings of Mr Jay's partisans, it seems as if the state would be thrown into convulsions." He added that injured virtue of the Federalists had "silenced all clamor about their bankruptcies" (ALS, June 23, 1792, Monroe Papers, NYPL).

32. ALS, July 10, 1792 (16 HLC 2224-5). J. O. Hoffman was one who entertained expedients of an appeal to the people or a legislative order for a new election, conditional upon court approval (To Van Schaack, June 26, 1792, Low misc. NYHS).

33. June 28, 1792 (9 LHW 540-41).

34. July 25, 1792 (5 JCHW 514-16).

35. July 27, 1792, *ibid.* 516.

36. July 29, 1792, *ibid.* 516-17. A month later Troup was echoing H's views. No reversal of the "Wicked & abominable decision of the canvassers" was planned; N.Y. Federalists clamored "to make a strong impression upon the public mind of the deep corruption of Clinton and his party and thus to render him odious" (ALS to H, Aug. 24, 1792 [17 HLC 2314]).

37. An American in Paris at the time saw Jefferson playing the principal rôle in "The revolution of this Country. . . . The national assembly have

abolished all exclusive rights. . . . I should fear much . . . if it was not for Mr Jefferson. But I look upon him to have been to this revolution what a key and a main Spring are to a watch[.] He winds them up & then puts them into motion" (ALS, E. Haskell to Constable, Aug. 26, 1789, Constable Letterbook, NYPL).

38. Transcript, Feb. 14, 1790, Madison Papers, NYPL.

39. One who, himself anonymous, rallied Hamilton for displaying "mere personal animosity" against Jefferson, wanted to know whether it was honorable "to skulk behind a mask" (*Nat. Gaz.*, Jan. 9, 1793).

40. Catullus to Aristides, Sept. 15, 1792 (7 LHW 252).

41. *Ibid.*, 248. Fenno's *Gazette of the United States* published the first number in Philadelphia Nov. 3, after quitting New York Oct. 13, 1790. The transfer to the new capital was the occasion of a new address to the public, proclaiming the paper wholly federal; "*freedom and government, liberty and laws, are inseparable.*" It was claimed by Jefferson's friends that the Treasury favored Fenno's paper with advertising and that H lent money to Fenno.

42. Only occasionally, as though by accident, did those in power find a defender, e.g., "A Friend to the Union," March 19, 1792.

43. "Mirabeau" in *Nat. Gaz.*, Dec. 12, 1792.

44. March 8, from *N.Y. Jnl.*; March 19, 1792 (Brutus II).

45. "A Farmer," Feb. 2, 1793.

46. Nov. 7, 14, 1792.

47. See "Decius" in *Nat. Gaz.*, Feb. 20, 1793 ff.

48. *Gazette of U.S.*, July 25, 1792; an inconspicuous item on p. 3. This was not the day for the *Nat. Gaz.*, for the "T.L." paragraph was preceded by one signed "Q" scolding Fenno for reprinting so often "the anti-federal sentiments with which the *National Gazette* is stuffed." If Fenno is paid for advertising the opposition, it is understandable, otherwise he injures reputation of his own paper. Above that squib, "Crito" impugned the *Nat. Gaz.* for declaring "an aristocratic junto" is conducting the federal government.

49. Dated July 26, *Gaz. of U.S.*, July 28, 1792. Hamilton (as "Detector") had hardly given Freneau time to reply, for he charged the *Nat. Gaz.* "is only the tool of a faction, . . . the prostituted vehicle of party spleen and opposition to the . . . principles of order, virtue and religion." Was not the editor in pay of a department of the very government he opposed? But "citizens . . . feel their happiness, and will not be bullied out of it."

50. *Gaz. of U.S.*, Aug. 1, 1792. This brought rejoinder from "X.Z." (Freneau, doubtless), accusing his critic of taking words out of context for purpose of misrepresentation (*ibid.*, Aug. 4, 1792).

51. ALS, to Madison, Sept. 2, 1792, Madison Papers, NYPL. He took pleasure in what H himself soon declared, that men in western Pennsylvania protesting against the excise were "no less united & firm . . . against many other of [H's] measures" and were likely to "occasion him much further disquietude." Very next day H recommended to Chief Justice Jay that the circuit court notice the Pittsburgh resolves promising to "obstruct the operation of the law," but Jay and King counselled that no reproof be issued until government was prepared to take forceful measures (copy, H to Jay, Sept. 3 [17 HLC 2329], and Jay to H, Sept. 8, 1792, *ibid.*, 2331). Atty. Gen. Randolph was similarly reluctant (opinion in *ibid.*, 2335-7). Newspapers were carrying pro and con arguments on the excise and its tendencies; cf. *Gaz. of U.S.*, Sept. 5, 1792.

52. ALS to Madison, Oct. 17, 1792, Madison Papers, NYPL.

53. *Gaz. of U.S.*, Aug. 4, 1792, 1½ columns; *ibid.*, LHW 230-6.

54. *Ibid.*, Aug. 8, 1792. In a prefatory note Freneau explained that his deposition was necessary to justify Jefferson. Further, the clerkship was only part-time employment, as with Jno. Pintard in the same position before him, so why should he not, in addition, conduct a newspaper as well as any other business? Why should Jefferson, though he knew French, do his own translating? He called H's "whole truth" a lie.

55. *Ibid.*, Aug. 11, 1792.

56. *Ibid.*, Aug. 18, 1792. Freneau, thenceforth to be neglected by H, also bowed himself out of the controversy, ostensibly, by declaring that "An American" must reveal his identity if he expected to have personal charges refuted (*ibid.*, Aug. 15, 1792). H replied briefly in his last appearance as "An American" (Aug. 18) that this was a flimsy excuse of Freneau, who had already been willing to defend himself under oath. Hamilton must have got wind of Freneau's appointment in the State Department from an anonymous letter directed to Wolcott. The writer quoted the *N.Y. Daily Adv.*, Oct. 26, 1791, "We hear from Phi^a that the Hon. T J Esq. Sec^y of State . . . has appointed Capt. P. Fr—— interpreter of the F L [foreign languages] for the Deptm^t of State." Below in H's hand is notation of the number of days between Oct. 5 and June 30, a calculation that entered into H's attack (13 HLC 1712).

57. Aug. 13, 1792 (5 JCHW 518-9).

58. Boudinot to Hamilton, Aug. 16, 1792, *ibid.*, 519-20.

59. ALS, Dayton, Elizabethtown, to H, Aug. 26, 1792 (17 HLC 2315), printed in *ibid.*, 521-2; cf., re H's opinion of Childs, to King, July 25, 1792, *ibid.*, 516.

60. Monticello, Sept. 17, 1792 (6 *Writings* [Ford ed.] 112).

61. To Edmund Randolph, Sept. 13, 1792 (6 *Writings* [Hunt ed.], 116-18 n.).

62. *Ibid.*, Sept. 8, 1792. Jay wrote H with more than his usual restraint, "It is understood that you and Mr Jefferson are not perfectly pleased with each other, but surely he has more magnanimity than to be influenced by that consideration to suppress Truth . . . or refuse his testimony to it. Men may be hostile to each other in politics and yet be incapable of such conduct." If H felt a delicacy in searching in Jefferson's files, the President would certainly let H use all evidence in his possession (ALS, draft, Nov. 26, 1793, Jay Papers, Columbia Univ.). Now Fenno (in what he called "a communication") interposed his own moral remark on the theme of a house divided. "When one servant of the public intrigues and makes parties against the proceedings of another, there will be . . . want of order in the administration, and . . . insecurity against . . . attacks of those who would tear the government down" (Sept. 12, 1792).

63. *Nat. Gaz.*, Sept. 11, 1792.

64. ALS, Lee, Richmond, to H., Sept. 10, 1792 (17 HLC 2346-7); he added, "Would to God you had never been the patron of [bank and funding system] in its present shape, for I augur ill of its effect on yourself personally, as well as on the public prosperity."

65. 7 LHW 247-52.

66. ALS, Willinks, Van Staphorsts, and Hubbard, Nov. 19, 1789, to Wm. Short (Short Family Papers, LC). Next day the French intention was more public because Necker had mentioned it in connection with the establishment of a national bank. The Amsterdam house might participate only to protect the United States, since the French would be tempted to borrow on almost any terms (*ibid.*). At the same time, on earlier information, Constable informed Robt. Morris: "Vⁿ Staphorsts write Craigie that propositions had been made for the French Debt & that Mr Jefferson has taken up the Business & would bring it forward" (Dec. 1, 1789, Constable Letterbook, *op cit.*; cf. same to Gouv. Morris, Nov. 30 [1789], *ibid.*).

67. Same to same, Jan. 25, 1790, *ibid.*

68. 7 LHW 252-63; cf., on Constitution, 273-9. Closing, H gave the best possible summary, in 200 words, of his fiscal principles and practice. For Jefferson's reply to these main accusations of H, see his letter to Washington, Sept. 9, 1792 (6 *Writings* [Ford] 104-5); he said that, after first hesitation, he had "advocated universal adoption" of the Constitution. In beginning, besides wanting a bill of rights annexed to the Constitution, Jefferson feared a President once installed "is a king for life . . . so that we must take refuge in the end in hereditary monarchy, the very evil which grinds to atoms the people of Europe" (ALS, Paris, to Monroe, Aug. 9, 1788, Monroe

Papers, NYPL). An anonymous defender of Jefferson. (*Am. Daily Adv.*, Sept. 22, Oct. 10, 1792), though he quoted letters from Paris, did not deny that Jefferson's judgment on the Constitution had been faulty. However, this writer saw the controversy not as an attack on a person, but on the principle of democracy in government. H's "selfish, narrow, and vain-aspiring heart . . . never glowed" with love of humanity; he was maneuvering to eliminate Jefferson, the champion of a "free and manly spirit of inquiry . . . which has lately . . . demonstrated the mischievous tendencies of some of the measures of government. . . ."

69. Cf. e.g., *Nat. Gaz.*, Dec. 12, 1792, *Gaz. of U.S.*, Sept. 22, 1792, "Q" and "An American" tossing Jefferson's reputation between them. "Scourge" was lengthy. Was Jefferson's scamper from Tarleton becoming in "an old meritorious public servant"? If it was a crime to assail Jefferson when he had left the capital for his Virginia rural retreat, the Sec. of State would have been under no disadvantage "had he been attending his duty where he ought to be." More seriously, Jefferson's "monstrous affectation of . . . primitive simplicity" ought not to drive him to make odious to the people necessary means to national strength such as funding, banks, and excise.

70. *Gaz. of U.S.*, Sept. 26, 1792, "Observer's" jibe against Freneau and Jefferson; 29th with more letters of Jefferson from Paris (by way of excusing him), and, *au contraire*, Catullus again. Oct. 6 "The Republican" was really a Federalist, and Oct. 10 "A Citizen of Philadelphia" set upon the funding system.

71. *Gaz. of U.S.*, Sept. 29, 1792 (7 LHW 263-73).

72. The President's private letter to H, Aug. 26, 1792, from Mt. Vernon, including his famous remonstrance, was kept among H's confidential papers, and is in 10 Wolcott, CHS; printed in 12 *Writings* (Ford) 176 ff. Washington ended by assuring H of "sincere and affectionate regard." Same day he wrote about sending the proclamation against Western disorders to Jefferson at Monticello for his signature, and concluded, "I am always Your Affectionate" &c. (*ibid.*). Washington wrote to Jefferson, Aug. 23, "How unfortunate . . . that, while we are encompassed on all sides with avowed enemies and insidious friends, internal dissensions should be harrowing and tearing our vitals," etc. He had written, he said, in like terms to other officers; that to Randolph, same day as to H, is all now found.

73. Phila., Sept. 9, 1792 (4 JCHW 303-5).

74. Monticello, Sept. 9, 1792 (6 *Writings* [Ford], 101-9).

75. *Anas*, Sept. 30, Oct. 1, 1792 (1 *Writings* [Ford], 202-5), and to Madison, Oct. 1, 6, *ibid.*, 114. Mason, too, after funding succeeded, had known just how to reach that result. Jefferson, as he promised, further justified himself by submitting documents to Washington, but the President was not judging between his ministers (Washington to Jefferson, Oct. 18, 1792 [32 *Writings* 185-6]).

76. See, e.g., "Vindication of Mr. Jefferson" in *Nat. Gaz.*, Nov. 10, Dec. 12, 1792, and H's answer in *ibid.*, Jan. 9, 1793; much was tedious dispute about the wording of a letter of Jefferson, filed in his department, for which H did not want to ask; a few words of accurate quotation would have saved several thousand words of print.

77. Cf. "Mirabeau" in *Nat. Gaz.*, Jan. 12, 1793. "Truth," "Fact," "Decius," "The Uniform Federalist" who was anything but that, "Gracchus," "Americanus," added others to the clashes.

78. "Decius" in *Nat. Gaz.*, Feb. 20, 1793.

79. ALS, Phila., Sept. 10, 1792, Madison Papers, NYPL.; for comfort given by Coxe at this time, cf. his ALS, to H, Aug. 14, 1792 (17 HLC 2270).

80. Draft ALS, Dec. 29, 1792, Jay Papers, Columbia Univ.; cf. ALS, Charles Carroll of Carrollton, Oct. 22, 1792 (17 HLC 2405), to similar effect. Rhode-Island College (since Brown University) conferred on H the LL.D. degree (*Gaz. of U.S.*, Sept. 17, 1792). Public stocks ruled high (6 per cents 21/2, 3 per cents 12/, according to *Nat. Gaz.*, Nov. 24, 1792). Cf. report of full circulation and employment from Tobias Lear in ALS, Portsmouth, N.H., Aug. 27, 1792 (17 HLC 2316).

81. "Metellus," Oct. 24, 1792 (7 LHW 287-8).

82. May 26, 1792 (9 LHW 513-35).

83. *Ibid.*, 513-19.

84. See his *James Madison*.

85. *Ibid.*, 519 ff.

Chapter 13 (Pages 222 to 244)

Neutrality

1. Copy, H, Phila., to Washington at Mt. Vernon, 18 HLC 2547. Jefferson wrote two days later, with fewer particulars except that the French minister at London had been given his passports (6 *Writings* [Ford ed.] 212).

2. Copy, April 8, 1793, 18 HLC 2548.

3. H's copy, signed by Washington, is in 19 HLC 2561-2; printed 4 LHW 366-8. H argued at length that we should do nothing that could be construed as a recognition of the revolutionary government. Though the queries were in the President's hand, Jefferson was sure "from the style, their

ingenius tissu . . . raised upon a prepared chain of argument," the language was H's. Randolph afterward imparted that the day previous "Hamilton went with him thro' the whole chain of reasoning of which these questions are the skeleton, & that he recognized them the moment he saw them" (Jefferson, 1 *Writings* [Ford ed.] 226-7).

4. 4 LHW 368-9. Jefferson did not make his private note of the proceeding until three weeks later, then confused the order of topics, made no mention of neutrality, declared he maintained our treaty with France was valid, against the view of H and Knox that we should denounce it (Jefferson, *op. cit.*, 226-7). This last was mistaken, as H wanted the treaty "temporarily and provisionally suspended" only.

5. *Correspondence between Citizen Genêt and Officers of Fed. Govt., to which are prefixed Instructions, &c.* This was foretaste of what America was to hear many times later, that one or another European power was fighting her battles.

6. Peter Porcupine, *History of American Jacobins* (1796), pp. 6-7.

7. ALS, to Jay in N.Y., Jay Papers, Columbia Univ. Much elaborated, this became H's recommendation to the President (4 LHW 369 ff.).

8. *Ibid.* Jay endorsed this "re^d & ans^d 11 ap 1793." Stephen Higginson of Boston just at this time urged a proclamation to inform the people and fend off war. "If there be no political or moral obligation on US to take a part, it is a pity we should not know it, & be able to convince every one of it" (ALS to H, April 10, 1793 [18 HLC 2549]).

9. His draft of a proclamation implied that no minister should be received from a regent unless the latter was actually in power. "Let us do every thing that may be right to avoid war; and if without our Fault we sh^d be involved in it, there will be little Room for apprehension for the Issue." On his way to Richmond he would stop to see H at Phila. (ALS, Jay to H, April 11, 1793 [19 HLC folio 2876]).

10. ALS to H, April 24, 1793 (19 HLC 2569).

11. ALS to H, April 26, 1793, *ibid.*, 2573-8. He agreed with H that we owed the French debt to "the existing Authority." For Jefferson's position on the proclamation, see ALS to Monroe, July 14, 1793, Monroe Papers, NYPL. He said Randolph drew it and "let me see there was no such word as *neutrality* in it," though the public did not regard this scrupulous omission. Madison collected from W. C. Nicholas, who talked like a sound Republican and friend of the French cause, "that Edmund Randolph . . . admitted to him that he drew the proclamation" and had received censure for it (To Jefferson, Sept. 2, 1793 [1 *Writings* (Rives ed.) 599]).

12. To Monroe, May 5, 1793 (6 *Writings* [Ford] 238-9); in same letter and in one next day to T. M. Randolph (*ibid.*, 241) he showed his personal strong sympathy for France.

13. ALS to Monroe, June 4, 1793, Monroe Papers, NYPL.
14. Jefferson, 1 *Writings* (Ford) 216-18.
15. Jefferson, *op. cit.*, 224.
16. 4 LHW 369-96. The ms. (19 HLC 2602-25) must have taken parts of many days to prepare; all is in H's hand, with numerous revisions in darker ink, i.e., not made at time of first writing. Washington's queries were dated April 18, and this answer may have been penned between then and May 2 when H wrote the President that he and Knox were submitting this as their joint opinion.
17. Copy, H to Washington, 19 HLC 2627.
18. See also ms. fragment, "Remarks on anticipated arrival of Genêt" (21 HLC 2907). He deprecated plans to demonstrate for Genêt especially at the seat of government, where Europe might suppose some official approval was implied. Nothing of the kind greeted Ternant, who had better right to welcome because he served with reputation in our war of independence. In H's autograph, heavily revised, is a statement of what Sec. of State or President should tell Genêt on his reception. If France did not make restitution of illegal prizes, U.S. must indemnify claimants and be reimbursed by France ([Aug. 3, 1793], 21 HLC 2909).
19. H in "No Jacobin," V, 5 LHW 46.
20. *Op. cit.*, 9, 10.
21. ALS, Jno. Steele, April 3, 1793 (19 HLC 2582-3).
22. May 18, 1793, in F. J. Turner, "Corr. of French Ministers to U.S., 1791-1797," in Annual Rept. Am. Hist. Assn., 1903, Vol. 2, pp. 214-15.
23. 1 *Writings* (Memorial ed.), 347.
24. To Minister of For. Affairs, June 19, Oct. 7, 1793 (Jefferson 1 *Writings* [Ford] 224 n.).
25. ALS, N.Y., Aug. 3, 1793 (20 HLC 2762-3).
26. ALS to H, Aug. 8, 1793, *ibid.*, 2765-6.
27. ALS, to Jas. Duane, Aug. 14, 1793, Duane Papers, NYHS. However, "in spite of the odium now excited against Genêt," Livingston and Clinton were still feasting him. H drafted Washington's thanks to Cruger for the patriotic resolves of this meeting (7 JCHW 140-141). Cf. *N.Y. Daily Adv.*, Aug. 9 and ALS, Jno. Bard, Sr., congratulating H on loyalty of N.Y., thanking him for his writings upholding neutrality (Aug. 24, 1793 [20 HLC 2780]).
28. June 19, 1793, *Corr. of French Ministers to U.S.*, 217-8.
29. See, in Rufus King's hand, copy of "autorisation donné par le Min: plenep: de la Rep. franç: au General Clarke . . . a prendre le commande

ment en chef de la Legion independante et revolutionaire du mississippi. . . ." (July 12, 1793, Noah Webster Papers, NYPL.)

30. See Wm. F. Keller, "The Frontier Intrigues of Citizen Genêt," in *34 Americana*, 4 (Oct., 1940), pp. 567-95; Louisiana (Spanish Colony), Gobernador 1792-1796 (Baron de Carondelet), *Circulaire Adressee par le Gouvernement à tous les Habitants de la Louisiane* (Feb. 12, 1794, photostat in NYPL).

31. *Pa. Gazette*, Phila., Dec. 11, 1793, statement of John Jay and Rufus King on authority of Hamilton and Knox; Gov. Mifflin to Pa. Assembly, 4th ser., Pa. Arch., IV, 251 ff.; exec. minutes, in 9th ser., I, *ibid.*, 614.

32. 9th ser., Pa. Arch., I, 617-19; 5 LHW 3-4. H's memo of meeting of secretaries of State, Treasury, and War at State House, Phila., July 8, 1793, with opinion of H and Knox that a battery fire on Brigantine *Sarah* if she tried to sail, and Jefferson's dissent, are in 20 HLC 2727; her departure led to revulsion against France, recall of Genêt. See Jefferson, 6 *Writings* (Ford) 340-44.

33. 9th ser., Pa. Arch., I, 617-21.

34. Mifflin in 4th ser., Pa. Arch., LV, 257.

35. Diary, N.Y., Aug. 12, 1793.

36. *Pa. Gazette*, Phila., Dec. 11, 1793. King was zealous to expose Genêt's insulting conduct. Relevant conversations, public and private, and evidence in the State Department should be known. Only "the most decisive conduct" (presumably of the administration) could satisfy the public in such an extraordinary case (ALS to H, Nov. 26, 1793 [21 HLC 2780], printed in part in 5 JCHW 589). For an affidavit, Sept. 25, 1793, of Noah Webster to charges of Genêt against the administration, spoken in his hearing, see Webster Papers, NYPL. It was brought to the notice of Washington, Hamilton, and Wolcott.

37. Raymond Walters, *Dallas*, 47.

38. Jay and King in *Pa. Gazette*, above, Genêt to Jefferson, Dec. 20, 1793, in *Correspondence*, *op. cit.*

39. Walters, *ibid.*, and *Am. Daily Adv.*, Dec. 9, 1793. Madison did not have Jefferson's official responsibility, and Genêt had not lied to him. He thought "silence better than open denunciation and crimination." Our own government had inflamed his passions by sending Gouverneur Morris to France and by the language of the proclamation of neutrality. Further aggravations to Genêt were "the attempts of Pacificus to explain away . . . the Treaty; the notoriety of the author," and the suspicion that Hamilton spoke the views of Washington. (To Jefferson, Sept. 2, 1793 [1 *Writings* (Rives) 598].)

40. 5 LHW 5-12.

41. To Washington, undated [July 11, 1793], 6 *Writings* (Hunt) 340-41 n.

42. *Writings ibid.*, 340-44.

43. They appeared in the *Gaz. of U.S.*, June 29-July 27, 1793; ms., in 20 HLC 2704 ff., much revised; nos. 4 and 5 were written continuously, just a line dividing them for publication. See printed 4 LHW 432-89.

44. ALS, Phila., June 28, 1793, to Monroe, Monroe Papers, NYPL.

45. Aug. 5, 1793, in Dunlap's *Am. Daily Adv.*, Phila., H as "Philo Pacificus" amplified the validity of the French treaties in answer to "An Old Soldier" who objected (July 27) that Pacificus was perfidious. H emphasized his meaning "that the Treaties both of *alliance* and of *Amity* and *Commerce* between the U States and France, are still in full force between the two Nations, notwithstanding the change which has happened in the Government of France." It was essential to note precisely what our engagements were (Draft, much faded, in 20 HLC 2755-6).

46. For an example of fancied commitment to France—indeed overcommitment to join her in arms—see July 4th oration of "citizen Brackenridge": could we assist "and should France say, United States, your neutrality is not sufficient; I expect the junction of your arms with mine; your heroes on the soil, and your privateers, on the ocean, to distress the foe; you shall have them; our citizens . . . shall attack; our oaks shall descend from the mountains; our . . . voice of war, however weak, shall be heard with yours." And more to the same effect from this western spokesman who ere long was to be compromised in the whisky rising (Dunlap's *Am. Daily Adv.*, Phila., July 20, 1793).

47. July 7, 1793, 6 *Writings* (Ford) 338.

48. July 22, 1793, 6 *Writings* (Hunt ed.) 136-8. H took pains to secure authentic texts of British and French orders affecting American interests; see, e.g., Copie de Décret de la Convention Nationale du 9 Mai L'an 2^d de la République Française, signed LeBrun (19 HLC 2644-6). Using every means, H consulted Richard Harison, U.S. Atty. at N.Y. as to privateers. Harison did not "at present see how [they] can be legally detained, or proceeded against," but would do all he could with propriety to promote our national interest (ALS Harison to H, June 21, 1793 [19 HLC 2686]). America hoped that all maritime nations would finally agree to the rule, embodied in several of our treaties, that free ships make free goods. British disregard of it was illustrated in the instance of the sloop *Alexander Hamilton*, Capt. Bacchus, which arrived at Charleston, S.C., July 11, 1793, in six days from New Providence. She was carried there by the *May Flower*, having been taken in her passage from Aux Cayes to Baltimore. A Nassau court compelled Bacchus to land his cargo of coffee, sugar, and cotton on information it was the property of Frenchmen; it was expected the cargo would be con-

demned and sold (Dunlap's *Am. Daily Adv.*, July 23, 1793). Besides what he saw at Philadelphia, H, as head of the customs service, had information of French privateering at other ports. A Philadelphia merchant, returned after two months at Charleston, reported "the spirit of privateering under *French Colours* prevails in a high degree at that port. Prizes brought in every day. . . ." (May 24, 1794 [27 Wolcott Papers, CHS]). Promptly the Treasury demanded of the collector there why he had been silent on doings interfering with our neutrality (June 2, 1794 *ibid.*; sharper remonstrances Sept. 4, 1794, 28 *ibid.*, and still more on same theme Jan. 2, 1795, 29 *ibid.*). Similarly, AL, H to collector of Baltimore, alarmed at reports arms are being shipped, privateers fitted out there (Aug. 22, 1794, *ibid.*), and H for Sec. of War, notifying governors French privateers fitted out in our ports are to be disarmed if they return (Aug. 18, 1794 [23 HLC 3179]). Later, H was chagrined that, in his absence in western Pa., vigilance of customs officers in searching French public vessel should have been admitted by Sec. of State to be contrary to law of nations (see Randolph to Wolcott, Nov. 1, with H's endorsement; Fauchet, Nov. 17, Wolcott to Lamb, Nov. 22, 1794 [28 Wolcott Papers, CHS]).

49. Aug. 3, 1793 (6 *Writings* [Ford ed.] 361-2). However, Hamilton was similarly at fault in revealing Cabinet actions to the British minister. Hammond wrote to Grenville (Aug. 10, 1793), following his narrative of the defiant departure of the *Little Sarah*, he had learned "from a confidential quarter, (which your Lordship will easily conjecture) the final and *unanimous* result of [the Cabinet's] discussion," as to privateers. Genêt was to be told request would issue for his recall (Brit. State Papers, NYPL).

50. To Jefferson, July 30, 1793 (6 *Writings* [Hunt] 138-9 n.). He made no answer to "Helvidius," since before Madison had finished H had contracted yellow fever.

51. To Madison, Aug. 11, 1793, *Writings, ibid.*, 367-9.

52. To Jefferson, Aug. 11, 1793, *Writings, op. cit.*, 140-41 n.

53. Aug. 20, 22, 1793, *ibid.*, 177-8 n.

54. In *Gaz. of U.S.*, Aug. 24-Sept. 18, 1793, conveniently found in 6 *Writings* (Hunt), 138 ff; see also *Letters of Pacificus and Helvidius . . . 1793* (Washington, Gideon, 1845, with No. VII of "Pacificus" misprinted VIII).

55. Sept. 2, 1793 (6 *Writings* 196).

56. Signed minute in Washington Papers; Jefferson, 1 *Writings* (Ford) 282 ff. The Secretary of State left town almost immediately after the President arrived. The latter, evidently piqued, asked him: "What is to be done in the case of the *Little Sarah*, now at Chester? Is the Minister of the French Republic to set the Acts of this Government at defiance, *with impunity*? and then threaten the executive with an appeal to the People. What must the World think of such conduct, and of the Governmt. of the U. States

in submitting to it? These are serious questions. . . . I wish to know your opinion upon them, even before tomorrow, for the vessel may then be gone" (33 *Writings* 4).

57. 20 HLC 2057–61, none in H's hand, but see in his autograph in Washington Papers; printed Washington, 33 *Writings* 15–19. 5 LHW 22 ff. has 22 questions, the last not the same as here, which reads "What are the articles, by name, to be prohibited to both or either party?" 4 JCHW 450 follows this manuscript. See Jefferson's *Writings*, *op. cit.*, 351–2 and n.

58. July 20, 1793, H. P. Johnston, ed., 3 *Corr. and Public Papers of John Jay* 487.

59. July 23, 1793 (33 *Writings* 28).

60. Aug. 8, 1793, Johnston, *op. cit.*, 487–8.

61. 5 LHW 17.

62. 21 HLC 2910–13; Jefferson's independent draft is in 6 *Writings* (Ford) 358–60; cf. Marshall, 5 *Washington* 441–2.

63. 5 LHW 49–54. All members of the Cabinet approved the rules Aug. 3; see Jefferson's reference, 1 *Writings* (Ford) 254–5. See Treasury circular, May 30, 1793, signed by H, saying prizes of France were to be received in our ports in same manner as vessels and cargoes not prizes; they must pay import and tonnage duties. Privilege does not extend to other belligerents, because contrary to 17th and 22nd articles of our treaty with France (Am. Antiq. Soc.).

64. Jefferson, 6 *Writings* (Ford) 365–6.

65. ALS to H, June 15, 1793 (19 HLC 2654–7).

66. ALS, to H, June 14, 1793, *ibid.*, 2658.

67. 5 LHW 17–49; mss. of first three numbers are in 21 HLC 2888 ff., last lacking a short paragraph that appears in printed version. For contemporary illustration of violation of our sovereignty, see notice of French consul, Aug. 17, 1793, that brig *Betsey*, Capt. Wm. Clark, captured by Xebec Sans Culottee (*sic*) has been libeled in his tribunal (*N.Y. Daily Adv.*, Aug. 22, 1793).

68. Many in federal departments, including the customs, were critical of the government. This came of trying to placate the opposition with offices. The governor and his ilk complained that they had no national guidance, "But if directions are given them by dictating you offend the Sovereignty of the State." They were a "d_____d Crew" (Stephen Higginson, Aug. 24, 1793 [5 JCHW 577 ff.]) A week later this case, as reported by Gore, was considered by the Cabinet; it was unanimously decided that if DuPlaine, the French consul, had rescued the prize from the marshal by force, his exequa-

tur should be revoked. Also, the suspected actions of the governor should be inquired into (Cabinet opinion, draft by H, Aug. 31, 1793 [5 LHW 58-9]).

69. Jefferson, 1 *Writings* (Ford) 255; for H's opinion, 5 LHW 54-6. Lodge's notion that H strongly resisted a nefarious dodge of Jefferson (54 n.) is not borne out by the record.

70. First in Dunlap and Claypoole's *Am. Daily Adv.*, Jan. 31, Feb. 7, then in *Gaz. of U.S.*, Feb. 1, 8, 1794.

71. *Daily Adv.* had commenced Jan. 9, 1794, printing of papers accompanying the President's message to Congress Dec. 5, 1793, on our relations with the two main belligerents, and continued to fill its columns with these spirited missives. A few days before (Jan. 4), the same paper advertised (price 10 cents) instructions of the French authorities to Genêt, with some of his correspondence with our officers.

72. *Gen. Advertiser* (Bache), Phila., Jan. 11, 1794.

73. *Gen. Adv.*, Phila., Feb. 12, 1794.

74. *Am. Daily Adv.*, Jan. 7, 1794.

75. See 21 HLC 2930-3, 2936-9, 2946-50 (this last in an unknown hand, but with insertions and revisions by H). Thus: "The best apology to be made for the terrible scenes (of which every new arrival shocks us with the dreadful detail) is . . . that the ruling party in France is actuated by a zeal similar . . . to that which influences religious fanatics. Can this political phrenzy be dignified with the honorable appellation of the cause of Liberty . . . ? Judging from their acts, we are authorized to pronounce [it] the cause of Vice[,] Atheism and Anarchy" (*ibid.*, 2930). The French Revolution "supplants the mild & beneficial religion of the Gospel by a . . . desolating atheism." Those favorable to France "have found themselves driven to the painful alternative of renouncing an object dear to their *wishes* or of becoming . . . accomplices with Vice[,] Anarchy[,] Despotism and Impiety" (2932).

76. *Ibid.*, 2931.

77. *Ibid.*, 2936.

78. 5 LHW 77, 96.

79. *Ibid.*, 83.

80. *Ibid.*, 81.

81. *Ibid.*, 84-5.

82. *Gen. Adv.* (Bache), Phila., Jan. 11, 1794.

83. *Ibid.*, 88-96.

84. ALS, Jan. 1, 1793 [1794], to Eliza H. She had welcomed as an old friend an American, an entire stranger, who assured her that he had seen the Hamiltons, since the yellow-fever epidemic, in health.

85. To Madison, July 7, 1793 (6 *Writings* [Ford] 338-9).

86. To same, Aug. 3, 1793, *ibid.*, 361.

87. For all, see *ibid.*, 371-5, n.

88. Jefferson recorded: "Col. Ham supposes Mr. Genêt's proceedgs here are in pursuance of that system [to . . . excite insurrections], and we are so to declare to the world & add our testimony to this base calumny of the princes. What a triumph to them to be backed by our testimy. What a foul stroke at the cause of liberty.—et tu Brute" (Jefferson, 1 *Writings* [Ford] 253-4).

89. For this narrative of Cabinet discussions, *ibid.*, 252-4.

90. *Ibid.*, 259-61. Before it was known that Genêt had been recalled, H drafted wording for the President's message to Congress concerning his dismissal. This minister had "proceeded to the extraordinary length" of preparing a military attack on our neighbors with whom we were at peace; this was "derogatory to the sovereignty of the U. States, . . . dangerous in precedent and tendency. . . ." ([Jan., 1794] 22 HLC 2984). Rufus King and John Jay resented Genêt's call on the President to have them prosecuted for libeling him, and Washington's willingness to refer this request to the attorney general. However, all was amicably settled in an interview of King and Jay with the President. That day Fauchet arrived. King told Washington he feared for "the Fate of Genêt: so long as we were in danger from his Intrigues, we wished him ill; that no longer existing, we felt compassion, and were anxious that he should not be sacrificed." Washington understood Genêt's perilous situation, which was unmistakable when Fauchet demanded that Genêt be delivered to him to be returned to France by the ship of war that brought the new minister. This demand was made before Fauchet presented his credentials. Would U.S. wink at kidnaping of Genêt? Answer was no, if sent home he would be guillotined, and "this would excite Parties." (See minute of these doings, with corrections in H's hand, in *ibid.*, 3007-14.)

91. When Cornelia Clinton was being courted by Genêt, she wrote in a round hand, from Greenwich, to a friend less enviably situated: ". . . you Country Girls are under great disadvantages[.] I mean it must be an intolerable sufferin to sit in the Company and receive the addresses of Country Clowns and bubys whereas we girls of the City can have the addresses of the polished Citizens and the dear fellows of the beaumont. . . . I could not endure to hear the sighing languishments of your bubies. give me the lad who will fall on his knees and swere that he would rather kiss my hand than be Master of the world." This intoxicating flattery made her add, "my head is so ransackd I cannot write any more" (no date, Geo. Clinton Papers,

NYPL). After her marriage to Genêt she enjoyed the welcome of pro-French citizens to Monroe on his recall from his post in Paris. In a family letter she related that her brother was one of "the republicans of New York [who] give [Citizen Monroe] a Dinner. . . ." Monroe "is the plain honest republican he always was. . . . she too is a charming Woman. I have been with them every day since they arrived[;] they had so much to tell . . . and every thing so agreeable for us" (ALS, July 12, 1797, *ibid.*).

Chapter 14 (Pages 245 to 266)

Investigated and Cleared

1. *Annals* 2d Cong., 1st Sess., 490-94.
2. *Annals*, 2d Cong., 1-2 Sess., 1791-3, pp. 601, 1106-13.
3. *Ibid.*, Nov. 14, 1792, 689.
4. *Ibid.*, 887, 1309-17; the reports are conveniently found also in St. Clair's *Narrative*, 59 ff., 155 ff.
5. *Ibid.*, 1106.
6. *Ibid.*, 679 ff.
7. *Ibid.*, 1311.
8. *Ibid.*, 1111, 1113.
9. *Ibid.*, 1113.
10. *Ibid.*, 341.
11. 1 *Writings* (Ford ed.) 222-3. Wm. L. Smith, with many proxies from bank stockholders, was chief devil, but most of the Federalists were among the sinners. An addendum to Giles' inquiry was Jefferson's explanation to H, at the latter's request, of a piece of old business. This was Jefferson's view of what should be done with three million florins secured by our Amsterdam bankers before the first formally authorized loans of August, 1790. He referred to a memorandum made at the time. He had wanted part of the florins used to buy our foreign debt at Amsterdam, to keep it at par. Hamilton had wanted to use part to buy the public debt in America. The President's instructions confirmed neither plan, but directed that all be applied to the foreign debt. Jefferson ended by disavowing any interest in the episode; he would not have recurred to it but at H's wish. Actually, his origination of the attack on Hamilton gave the lie to this pose of aloofness. (March 27, 1793 (6 *Writings*, *ibid.*, 208-9); he sent a rough draft to Madison (March 31, *ibid.*, 209-10), remarking that it would give H small comfort.

12. *Annals*, 2d Cong., 2d Sess., 753, 761, 790, 809.

13. *Ibid.*, 629.

14. Am. State Papers, 1 Finance 180–84 (Jan. 4, 1793); a supplementary report on domestic loans, 185–6 (Jan. 10, 1793); and information furnished Senate, 186–90 (Jan. 16, communicated 18, 1793).

15. When Amsterdam bankers approved transferring the American debt to France to Dutch lenders, they wished to do it on the sole credit of the U.S., “Loans simple in their nature being preferred. . . .” (ALS, Willinks, etc., to Short, Nov. 19, 1789, Short Family Papers, LC.). The Dutch bankers stressed repeatedly what H reported to inquisitors in Congress, that the moneylenders were men of habit and tradition, feared novelty. Critics of the Treasury in Congress could not know the forces at play in overseas markets where we must borrow, but which were conveyed to H in detail by our bankers. At his distance, in time and place, from the intricate scene, H was obliged to be flexible in minor matters.

16. *Annals*, 2d Cong. 2d Sess., 835–40.

17. *Ibid.*, 839.

18. *Ibid.*, 840.

19. State Papers, 1 Finance 192–94.

20. ALS, Feb. 15, 1793 (18 HLC 2509).

21. State Papers, 1 Finance 200 ff., 218 ff.; these satisfied the Senate’s second resolutions, of Jan. 23, 1793 (*Annals*, 2d Cong., 2d Sess., 632, 640). On Feb. 6 he explained that his letter of the 16th, from haste, gave a slightly mistaken idea of how the two loans of Aug., 1790, came to be treated jointly. The error of memory was of no moment, but was better stated, as the procedure was loudly questioned.

22. State Papers, *op. cit.*, 223 ff.

23. *Annals*, *op. cit.*, 882–3.

24. *Ibid.*, 893; State Papers, *op. cit.*, 234 ff.

25. In Dec., 1790, the U.S. bankers in Amsterdam reduced their charges from $4\frac{1}{2}$ to 4 per cent so long as our loans were negotiated at 5 per cent interest. A few months later the bankers were ready to propose a new loan, “The Credit of the United States being sufficiently established and strong, to effect this without a Re-action from the political Circumstances of any Country whatever.” Russian funds were selling below American. The following month the recent loan was selling $\frac{3}{4}$ per cent above par, and the next loan could be marketed at lower interest, say $4\frac{1}{2}$ per cent. A few weeks later: “There always will be some loans appearing here [Amsterdam], but their consequences are not to be dreaded by the vigorous & deservedly

established credit of your Country." In the fall of 1791 a 4 per cent interest rate loomed for America; charges must be increased from 4 to 5 per cent, but, paid only once, this would be a low price for "the Honor & Credit that will result to the United States." The loan placed at Antwerp at 4½ per cent could have been floated at Amsterdam at 4. (See in Short Family Papers, LC, Willinks, etc., to Short, Dec. 23, 1790; April 11, May 23, June 9, Nov. 17, 24, 1791.)

26. State Papers, 1 Finance 202-218.

27. In *Nat. Gaz.*, Phila., Feb. 9, 1793, 5 Cols.

28. *Nat. Gaz.*, Phila., Feb. 16, 1793. "Franklin" in his next piece, Feb. 19, complained that "the direction of public money, concentrated in one person, constitutes the essence of monarchy. . . . Whether [the monarch] is called emperor, king, pope, or secretary of the treasury, it amounts to the same thing. . . . The laws are the laws of the individual, not of the legislature. . . ." It was implied that H was guilty of "dark monarchical manoeuvrings of public money." As H's successive reports were submitted, "Franklin" still pursued; see *ibid.*, Feb. 20, 27, March 16, 1793.

29. "Decius," *ibid.*, Feb. 20, 23, 27, 1793.

30. *Ibid.*, March 6, 1793, "Voice of the People."

31. State Papers, 1 Finance 223-251, including numerous exhibits. The report was dated the 19th.

32. *Annals*, 2d Cong., 2d Sess., 837-8.

33. 1 Finance 223-5.

34. *Ibid.*, 224-5.

35. *Ibid.*, 226-7.

36. 1 Finance 228.

37. ALS, Willinks, Van Staphorsts, and Hubbard, Jan. 14, 1793, to Short in Madrid; H's LS to Willinks, etc., was of Nov. 5, 1792 (Short Family Papers, LC).

38. ALS, Willinks, etc., to Short, Jan. 24, 1793, *ibid.*

39. ALS, same to same, Feb. 14, 1793, *ibid.*

40. ALS, same to same, Feb. 26, 1793. The same day Nicholas Hubbard, one of the partners, notified Short of four failures in London, three of them American houses which owed their misfortune to large speculations in wild lands which could not be disposed of since money had disappeared in England and Holland (ALS, *ibid.*).

41. ALS, same to Short, another to Hamilton, April 4, 1793, *ibid.*

42. ALS, same to Short, May 1, 1793, *ibid.*

43. Copy, Willinks, etc., to Hamilton, May 1, 1793, *ibid.*

44. Copy, H to Willinks, Van Staphorsts, and Hubbard, Phila., March 15, 1793, *ibid.*

45. Willinks, etc., to H, May 1, 1793, above. H's letters (he wrote them on March 16 as well as 15) had a quick passage, as though the winds knew the grateful message they bore, yet arrived a few days too late to prevent the arrangement for prolongation of payment on principal of the existing loan. Maybe, however, this was not a misfortune, for loans might be impracticable for some time into the future. Moreover, the honor and permanent advantages from the provision Hamilton had now made for the large amounts of interest constantly falling due more than canceled any temporary sacrifices.

46. See his memorandum of Feb. 7, 1793, in 6 *Writings* (Ford) 165-8.

47. *Ibid.*, 168-71. Apparently belonging to the same juncture of time, or surely the same state of mind of Jefferson, are his jottings for a campaign against the Treasury; they include purposes to divide the department, abolish the bank, repeal the excise, lower import duties, "Exclude paper holders [from Congress?]" and, for good measure, condemn Hamilton's report (*ibid.*, 171-2). All of this shows more hostility than knowledge; e.g., Hamilton had taken scrupulous pains to remove the Treasurer from improper influence of the head of the department. H's organization of the department has remained essentially intact in spite of unguessed enlargement in every feature. Jefferson's demand for abolition of the bank was reckless, as subsequent history showed.

48. *Annals*, 2d Cong., 2d Sess., 895.

49. D. R. Anderson, *Giles*; C. G. Bowers, *Jefferson and Hamilton*, 192 ff. An ironical touch was that H's constant friend Carrington of Richmond had commended Giles, on his entry into Congress, to Madison. "You will find him . . . to possess real genius, acquired knowledge and solid honesty, such as will make him a valued coadjutor in our representation" (ALS, Dec. 25, 1790, Madison Papers, NYPL).

50. *Annals*, 2d Cong., 2d Sess., 999 (should be 899)-900.

51. *Ibid.*, 900-906.

52. Thus Smith: ". . . the Secretary having moneys at his disposal in Europe applicable to the purchase of stock in this country, and having at the same time moneys in this country applicable to the payment of the interest abroad, . . . substituted the one for the other" (*ibid.*, 912-13).

53. *Ibid.*, 910-18.

54. Cf. Smith's chiding of Findley on this point, *ibid.*, 962.

55. Findley spoke truly when he said "the Secretary seemed to take the whole Government upon his shoulders, and to consider all the great interests thereof to be committed to his providence" (*ibid.*, 923).

56. *Ibid.*, 723-4.

57. *Ibid.*, 924-34.

58. *Ibid.*, 947-55.

59. However, this is not noted in the proceedings as a separate action.

60. *Ibid.*, 955-63; cf. Anderson, *Giles*, 24.

61. In Edmund Randolph's *Vindication*, 43. Jefferson told Monroe the "fiscal party" had "tricked the house of representatives" to obtain Hamilton's exoneration. He took what comfort he could from their refusal to enter the lists again in reply to Taylor and "Timon" (May 5, 1793, 6 *Writings*, Ford 238).

62. To Ld. Grenville, March 7, 1793, British State Papers, NYPL. Surprising was the "just and greatfull applause" given to H by Gen. Gates, who applied to him the encomium of Pope on Mr. Secretary Craggs ("Friend to truth, of Soul Sincere," etc.). The good will must have been more that of the ever cheerful Dr. John Bard, who reported the compliment, or was induced by the wine of Judge Duane's table where Gates was a diner (ALS, Bard, March 4, 1793, to H, 18 HLC 2523). Not surprising was the congratulation of Wm. Seton, cashier of the Bank of N.Y., "at the Triumph you have gained." He never doubted the result, but the "infamous manner of the attack gave us all uneasiness & particularly from its being so near the close of the Sessions. I hope your Health has not suffered from the confined close attention you have been obliged to pay to get rid of the varlets" (ALS, March 5, 1793, *ibid.*, 2525). Cf. ALS, Gulian Verplanck to H, March 17, and Jonathan Ogden, Morristown, March 18, 1793 (18 HLC 2531, 2534). Jay, negotiating his treaty in London, confided to H that his progress was impeded by pro-French "Processions, Toasts, Rejoicings" in America and by Monroe's (unneutral) introduction to the convention. But he was not so troubled as to forget to be glad result of inquiry into H's official conduct "is perfectly consonant with the Expectation of your friends" (ALS, drafts, Aug. 16, Sept. 11, 1794, Jay Papers, Columbia Univ.) In opinion of the American bankers in Amsterdam, Giles' attack on H's measures had "not in the least injured the Credit of the United States here." On the contrary, results of the inquiry had raised higher than ever confidence in the wisdom and integrity with which the Treasury was administered (ALS, Willinks, &c., to Short at Madrid, July 1, 1793, Short Family Papers, LC). Those who prosecuted Giles' inquiry charged that Hamilton could not account for Treasury moneys. His exoneration was followed by evidence that carelessness was not in his make-up; he

wanted to straighten out an ambiguity dating from the Revolution. After examination by the comptroller, Hamilton wrote to the Secretary of State for aid in determining whether Beaumarchais was due a million dollars. "It now becomes urgent that the truth of the case should be known." If the sum came to him as a gift from the French government, he had no claim against the United States for supplies bought with it. If the money was never in his hands "every days suspension of his claim, after the immense delays heretofore incurred, is a grievous hardship upon him" (Copy, Nov. 10, 1793, Hamilton Papers, Columbia Univ.).

Chapter 15 (Pages 267 to 286) Further Probe

1. Pp. 7-9.

2. Pp. 10-11.

3. Pp. 13-18. Requests of the Senate for information, Jan. 15 and 23, 1793, were doubtless preferred by Taylor himself. Monroe, not unexpectedly, found H's report an improper rejoinder, "rather a criticism of the resolutions and their mover, than giving that information which every representative of the people has a right to call for. . . ." (ALS, Richmond, Feb. 26, 1793, to Jno. Dawson, Monroe Papers, NYPL).

4. Pp. 19-23.

5. Pp. 24-26.

6. Pp. 25-6.

7. Jefferson, 1 *Writings* (Ford ed.) 223 and n.

8. *Nat. Gaz.*, March 9, 1793 ff., for space given the inquiry; indicated dates for false forecast and quotations.

9. Cf. "Franklin" *ibid.*, March 16, 1793: "On the side of the minority, appeared temperance, order, and dignity. On the side of the majority . . . precipitancy that confirms suspicion; a contempt for decorum . . . and the joint outcry of Bank-Directors, stifling the utterance of truths most interesting to the public ear." Of a score of bank directors and shareholders in the majority "Timon" asked, "Can these men be admitted as judges—men who in fact are parties in the cause. . . ?" (*ibid.*, March 27, 1793). However, Edw. Carrington, who at H's wish got the turndown of Giles' attack inserted in the Virginia newspapers, said "many who were

carried away by the storm, are much ashamed of their conduct" (ALS, Richmond, to H, March 26, 1793 (18 HLC 2538)).

10. Copy, H to speaker of House, Dec. 16, 1793 (21 HLC 2879), printed 3 LHW 178–9. Bache's paper, reporting this, tried make it appear H thought previous inquiry not conclusive (*Gen. Adv.*, Dec. 17, 1793); rather, H wanted to meet any damaging claim by others. Carrington was emphatic that "Should your persecutors not come forward at the next session with an impeachment . . . you should explicitly call for one—it would ensure at once their destruction. . . ." Eyes of new members would be opened to falsity of complaints they hear. "Stand fast, and you cannot fail. Resign, under the pressure of the present opposition, and you fall irretrievably" (ALS July 2, 1793 [20 HLC 714–5]). Washington, replying to complaints of Edmund Pendleton, Sept., 1793, against H's policies, said that doubtless H would seek a further inquiry into his conduct at the coming session. The President devoutly wished that all charges be "probed to the bottom, be the result what it will." The impartial world could then judge. (See Pendleton to Washington, 33 Washington, *Writings* 94 n., and the answer, Sept. 23, 1793, *ibid.*, 95.)

11. *Annals* 3d Cong., 1–2 Sess., 1793–5, p. 142.

12. *Ibid.*, p. 463 (Feb. 24, 1794).

13. *Ibid.*, 463–4.

14. *Ibid.*, 464–66; *Gen. Adv.*, Feb. 25, 1794.

15. *Ibid.*, 467.

16. 7 LHW 374; JCH went further, saying "two-thirds of the Committee were of the Democratic party" (6 *Hist. Repub.*, 15).

17. *Annals* 3d Cong., 1–2 sess., 1793–5, pp. 26–7.

18. Jan. 14, 1794, *ibid.*, 30.

19. Feb. 28, 1794, *ibid.*, 57.

20. ALS, Jan. 5, 1794 (21 HLC 2972).

21. American State Papers, 1 Finance 281–301. H said later, "Even my *private accounts* with [the banks] were laid open to the committee; and every possible facility [was] given to the inquiry" (1 LHW 374).

22. The committee employed a clerk to assist with its examination (*Annals*, *ibid.*, 779).

23. 1 Finance 285.

24. April 1, 1794, 3 LHW 185–7.

25. 3 LHW 187-9; H's statements are dated April 1, 1794. If this was calculated to discredit H in fiscal management, foes did not omit to set on him from the political quarter. Just at this time Monroe begged Washington not to nominate H as envoy to Great Britain; this would be injurious to the public interest and to Washington's reputation, as Monroe offered to show at length in a personal interview. (April 8, 1794, 1 *Writings* [Hamilton, ed.] 291-2). The President doubtless questioned the propriety of a senator opposing a nomination before it was made, but asked Monroe to submit in writing his objections to H (*ibid.*, 292 n.). John Nicholas (April 6) was more pointed; more than half of America knew it was "unsafe to trust power in the hands of this person," as all his measures threw us into the arms of Britain; he spoke of the "odious traits" of H's character (*ibid.*, 292-3).

26. Text of opinion in 6 *Hist. Repub.* 21-2.

27. April 8, 1794 (1 Finance 291) and text of certificate same date, *ibid.*, 190. At Hamilton's request Tobias Lear sent him, for the President, a memorandum of letters from and to the secretary concerning loans and disbursements. The 33 items would indicate that Hamilton secured the President's approval whenever the Treasury borrowed or paid in considerable amounts (ALS in third person, April 18, 1793 [19 HLC 2555]).

28. 6 *Hist. Repub.* 28-9, n. Washington's flexibility in directions to H on fiscal matters was illustrated on a later occasion, when he wrote the secretary: "I cannot . . . satisfy myself, that I am at liberty to go contrary to my last instructions; and that I have authority to direct the money, which I have expressly directed to be applied to the purchase of the public debt, to be applied to any other object. Still, . . . I am willing that the embarrassments, which you consider as probable, shall be communicated to Congress; and I have no objection to recommend to them to order the money to be reserved for exigencies which you point out" (ALS, April 27, 1794, XII Wolcott Papers, CHS). H, replying next day, thought reference to Congress would produce debate but no decision; he preferred to leave "the appropriation . . . fixed to the Sinking Fund," but to regulate actual disbursement according to circumstances (ALS, *ibid.*).

29. April 9, 1794, 4 JCHW 516-19; the draft in H's hand (22 HLC 3053-4) is much revised, evidence of the delicacy, in his own mind, of what he chose to do. A fortnight earlier H had cited to the President part of their correspondence which did in fact justify H's expectation that the President would acknowledge his steady approval during four years of H's practice of considering the two loans as one fund, so long as the correct amounts were applied to the purposes specified by law. H had no purpose of concealment. It may be that Washington, with much claiming his attention, never took in the secretary's policy on this point, and that his sanctions were mere formal repetitions of H's words (March 24, 1794 [3 LHW 183-4]; cf. April 25, 1794, *ibid.*, 194-7).

30. 2 Finance 300.

31. 7 LHW 375 (1797). His son said it "was accepted without a dissenting voice in Congress" (6 *Hist. Repub.* 33); Jnl. of House says simply report was read and laid on table.

32. 7 LHW, *ibid.* JCH remarked that two biographers of Jefferson (Tucker and Randall) said the inquiry of 1793 left the presumption that H was guilty in certain respects, but both omitted to mention his perfect exoneration in 1794 (7 *Hist. Repub.*, 35-6, n.).

33. Pickering believed that Giles, much later in life, regretted his opposition to the Federalist administration, laying his error to inexperience of youth (51 Pickering Papers, 210, MHS).

34. Beckley's letter, of June 22, 1793, with postscripts June 25, 27, July 1, 2, are not addressed, but were to someone in New York who was to keep him informed "thro' our common friend, Melancton Smith." Clingman's letter to Beckley, copy of which was enclosed, was of June 27, 1793. It is endorsed in Monroe's hand, "Respecting A Hamilton's connection with Reynolds," though Reynolds is not mentioned in this letter. All in photo-stat in H Papers, NYPL.

35. ALS, Aug. 25, 1793 (20 HLC 2783).

36. Aug. 30; see Wilcocks to H, Sept. 1, 1793 (20 HLC 2813).

37. Sept. 3, 1793 (5 JCHW 583-4). H had organized Mrs. Nathanael Greene's petition that Congress indemnify her husband's estate for supplies furnished the Revolutionary army in South Carolina. He arranged accompanying vouchers, and reported that "extraordinary motives of national gratitude for the . . . signal . . . services rendered by General Greene to his country" must induce attention to his "acts of zeal for the public. . . ." Wayne supported the petition; he had been second in command, and declared he would have gone surety for goods belonging to British merchants in Charleston had Greene been absent. Hamilton was not impressed by the contention of some that Greene had profited personally in the transaction, which involved upward of £8,000. The recommendation encountered fluctuating fortunes before a favorable bill was passed (*Annals* 2d Cong., 1-2 sess, 1791-3, Jan. 10-April 24, 1792, pp. 316-578).

38. *Ibid.*, 584-5.

39. ALS, N.Y., to H, Sept. 5, 1793 (20 HLC 2817); cf. same to same (by endorsement, Sept. 1, 1793), saying he had forwarded an enclosure from H to Fraunces, and would apply to Duer and Flint (*ibid.*, 2813).

40. W. Affleck to H, Sept. 7, 1793 (5 JCHW 585-6).

41. *Ibid.*, 586-7. Copies of Glaubeck's claim on the government, with his assignment to Bazen, and Bazen's to Royal Flint as attorney for Catherine

Greene, certified by Jos. Nourse, Register of the Treasury, are in 21 HLC 2861, 2865-6.

42. ALS, May 10, 1793 [1794], 19 HLC 2647; misdated in 5 JCHW 563. Her deposition before Judge Pendleton—later to be H's second in his fatal duel with Burr—said Glaubeck, serving under Greene, got the general to endorse his bills drawn on the then French minister. They came back protested, Glaubeck had decamped, Greene had to pay. When Glaubeck seven years later got a certificate from Congress for \$1,000, Wadsworth as executor of Greene commenced suit, but Glaubeck again made off; he had sold the certificate for \$270, of which \$70 was claimed by Fraunces. Mrs. Greene bought the certificate for \$270; Wadsworth commissioned Flint, and Flint commissioned Fraunces to make the purchase. Mrs. Greene borrowed the \$270 from Wadsworth and repaid him with a loan of that amount from H. Later the certificate was sold for her benefit by Richard Ward of N.Y. H "never had . . . any pecuniary interest in the said Certificate or in the purchase or sale thereof" (ADS, May 9, 1794 [22 HLC 3084-85]). Gen. Greene himself had explained how his public station entailed his private loss. "Baron Glusbeck [*sic*], an officer [*cited?*] for special Merit in the action at Cowpens was in Charleston, without money or means to get to the Northward; and a foreigner & without Credit. I had no money to advance him, and endorsed his bills, which returned upon my hands with damages & interest to the amo^t of near a thousand Dollars, which I have been obliged to borrow the money to settle & still owe it. . . . I would not have done it if I had known the fellow to have been as great an Imposter as I have reason to believe him since, yet . . . being Commanding officer I could not well refuse it" (in Wolcott's hand, extract from letter of Greene to Pres. of Congress, Aug. 22, 1785, Box 1, HLC). Wolcott added that Glaubeck as captain, March 9, 1781-Aug. 24, 1782, was paid \$140.26 in specie and \$561.07 in certificates, much less than Greene had advanced.

43. 5 *Hist. Repub.* 424 and n. Letter, dated Oct. 1, 1793.

44. Fraunces, Andrew G., *An Appeal to the Legislature of the United States . . . against the Conduct of the Secretary of the Treasury*. [N.Y.?] MDCCXCIII (12 pp. in NYHS copy; LC copy, 23 pp.)

45. *Gen. Adv.*, Dec. 19, 1793, not in *Annals*.

46. *Gen. Adv.*, Dec. 20, 1793, not in *Annals*.

47. Jan. 17, 1794, in *Gen. Adv.*, Jan. 23 (not in *Annals*).

48. *Annals* 3d Cong., 1-2 sess., 1793-5, p. 458 (Feb. 19, 1794); 5 *Hist. Repub.* 425 gives Dec. 29, 1793, for this report, but that was a Sunday. H was justified when he had written Mrs. Greene of his critics,

"He needs must be of optics keen,
Who sees what is not to be seen."

Last item on Andrew G. Fraunces: from Newark jail he appealed to Duer March 7, again May 2, 1796, "I have only strength . . . to say I am starving. I have not eat a mouthful this day . . . beggary is all I have subsisted on since your last favor. . . . I cannot last for long. To complete my distresses I am not only sick, but naked . . . and Lousy. Pity me for Godsake and relieve me." A few months later Fraunces had "taken the Act"; Duer would relieve him if he could (Duer to Fraunces, Sept. 24, 1796 [2 Duer misc., NYHS]).

49. ALs, drafts, Sept. 26, 1792, Box 1, HLC.

50. Statements of Wm. Campbell and (in hand of Uriah Forest) of Wm. Bayly, *ibid.* Bayly reported, "I asked Colo Mercer if he had said so. He answered yes, by God he had."

51. Copy, H to Mercer, Dec. 4, 1792, *ibid.* However, Mercer supported his charge by relating that, at the time of the incident, numbers knew he was in need of funds (Campbell to Ross, Nov. 21, 1792, *ibid.*).

52. LS, Campbell to Ross, Nov. 18, 1792, *ibid.*

53. ALS, to H, Oct. 16, 1792, *ibid.*

54. Ross to H, Nov. 23, with corroborating statements, and H to Mercer, Nov. 3, Dec. 6, 1792, *ibid.*

55. Washington of course considered Mercer's charge that Hamilton tried to bribe him to vote for assumption a serious one. Before broaching the matter to H, the President wanted to know (of David Stuart) before whom Mercer made the accusation Oct. 21, 1792 [32 *Writings* (Fitzpatrick) 193-4]). Stuart's reply, Nov. 5, is in HLC Box 1.

56. ALS, to H, Jan. 31, 1793, *ibid.*

57. H to Mercer, March 1, and Mercer to H, March 8, 1793, *ibid.*

58. H to Mercer, draft AL, March 14, 1793, *ibid.*

59. Copy, 20 HLC, 2818. H had not been at his office the day before, when Washington reassured with a lay opinion that the malignancy was "so much abated, as, with proper & timely applications not much to be dreaded" (*ibid.*). Wolcott at the same time wrote more seriously of the fever which had "ragged in this place for several weeks, . . . had greatly alarmed the Citizens, and induced numbers to fly into the Country." His duties compelled him to remain, notwithstanding (ALS, to Sedgwick, Sept. 5, 1793, Sedgwick Papers, MHS). Sept. 3 H had written long letters to Mrs. Greene and to Wadsworth seeking particulars on the Glaubeck claim (10 LHW 54-7).

60. ALS, Philip to John B. Schuyler, Sept. 19, 1793 (38 Schuyler Papers, NYPL).

61. Dr. Benj. Rush espoused the former; the College of Physicians, Gov. Mifflin, Mathew Carey, most others the latter; see Carey, *Observations on Dr. Rush's Enquiry into . . . Origin of . . . late Epidemic . . .* (Phila., 1793).

62. 4th ser., Pa. Arch., IV, 267-70. Dr. Jean Deveze, who was one of them, exculpated passengers from Cape François (*Enquiry into . . . the Epidemic Disease, which raged in Philadelphia . . . 1793*, Phila., 1794).

63. Mathew Carey, *A Short Account of the Malignant Fever lately Prevalent in Philadelphia* (4th ed., Jan. 16, 1794, with list of dead), is a celebrated pamphlet, translated into several languages. With no notion disease was carried by mosquitoes, every supposed preventive of contagion was used, such as burning brimstone and sniffing vinegar-soaked sponges. ". . . many valued themselves highly on the skill and address with which they got to windward of every person whom they met" (*ibid.*, 22).

64. *Federal Gazette* and *Phila. Daily Advertiser*, Sept. 11, 1793. The editor of the *Federal Gazette*, two days later, announced that the secretary and his lady had recovered and that the servant girl who had nursed Mrs. Hamilton was on the mend. "This is a strong confirmation," he went on, "of the goodness of the plan, pursued by Dr. Stevens, and ought to recommend it to the serious consideration of our Medical Gentlemen. In such a case, the pride of theory, ought to give way to fact and experience." A friend of nearby Burlington joined "with all ranks in the general Joy . . . upon hearing of your safe recovery." This well-wisher asked to know "the manner in which you was treated by your Physician" (ALS, Henry Vandyke to H, Sept. 13, 1793, [20 HLC 2827]; cf. Benj. Walker two days later: "for God sake or rather for our sakes take care [to avoid] a relapse," *ibid.*, 2829). Tobias Lear, congratulating H on his recovery, had found in New England "unfeigned sorrow . . . on a report of your death and . . . marks of joy . . . when the report was known to be unfounded" (ALS, Oct. 10, 1793 [21 HLC 2843]).

65. *Federal Gazette*, Phila., Sept. 16, 1793. In the epidemic in New York two years later, H did not forget Dr. Stevens' restoratives. He wrote Wolcott: "The fever in this Town . . . is sufficiently mortal. Bleeding is found fatal. Most of our physicians purge . . . I fear more than does good." He wanted his remarks on therapy to be shown to Dr. Stevens (Sept. 20, 1795, VII Wolcott Papers, CHS).

66. He was Professor of the institutes, and of clinical medicine in the Univ. of Pa., all but advertised himself by his frequent letters to the editor, and "Dr. Rush's Celebrated Mercurial Purging & Sweating Powders for preventing & curing the Prevailing Putrid Fever" were pushed by the apothecaries. (*Fed. Gaz.*, Sept. 14; Rush's detailed directions for use of his remedy were published in *ibid.*, Sept. 11, 1793.)

67. On Rush's experience and advocacies, see his *Account of the Bilious remitting Yellow Fever, as it appeared in the City of Philadelphia in . . .*

1793 (Phila., 1794, 363 pp.); for contention that vast majority (by Sept. 17) had only familiar fall fever, Dr. Currie in *Fed. Gaz.* this date. For Dr. John Mitchell, (d. 1768), see 13 DAB 50–51.

68. Philip, the eldest, now nearly 12, may have been away at school in Trenton.

69. Schuyler to J. B. Schuyler, above.

70. LS, Wm. [Abraham] Yates, Jr., mayor of Albany, to Philip Schuyler, Sept. 25, 1793, Morristown Hist. Mus. Pres. Washington, not guessing these impediments, had addressed his congratulations to the Hamiltons at Albany, hoping “no other of the family has been seized with the disorder” (ALS, pvt., from Mt. Vernon, Sept. 25, 1793 [21 HLC 2838]).

71. ALS, Schuyler to Yates, Sept. 25, 1793 (Morristown Hist. Mus.). Next day Schuyler had a conciliatory letter from His Honor, which was answered Sept. 27th, saying every care was being taken, by his own physician, Dr. Stringer, but begging that all the doctors might visit at his expense so the irksome quarantine could be early lifted. It now appeared that Schuyler had met with citizens in a church and with a special committee Sept. 23rd before he himself had any word of the Hamiltons’ approach except by reports attributed to Mr. Jay. His patience wore thin at a rumor that “when I embraced my Daughter on her arrival . . . I put a sponge diped [*sic*] in vinegar to my mouth Immediately after and then left the room and washed my face and Mouth. —this I declare in every part of it to be an abominal [*sic*] falsehood . . . and to detect the author of which I pledge myself . . . that I *will make* the most unremitting exertions, that the profligate calumniator may be exposed to the contempt of honest men” (Retained draft, initialed, to Yates, Sept. 27, 1793, *ibid.*).

72. ALS (draft), Wolcott to Bank of U.S., Sept. 19, 1793, Wolcott Papers, CHS; ten days later H, from Albany, confirmed this authority but expected, if his health continued to improve, to be back at his post in Phila. in a fortnight (copy, LS to bank, Sept. 29, 1793, *ibid.*).

73. ALS, Joshua Dawson, Treas. Dept., for Nourse, the register, absent in Va., to N. Low, Oct. 5, 1793, Low Misc., NYHS.

74. ALS, John Litle, Phila., to Wolcott, Oct. 16, 1793, refusing to go to the office to make transfers in place of another clerk who was desperately ill. “I have always avoided being near . . . the sick, I live in a high & healthy situation” on north Sixth st., have a dependent family, etc., and will do the little necessary business at home (Wolcott Papers, CHS). Clerks in the Treasury, as in other departments, who had remained in Philadelphia in spite of the epidemic to discharge their official duties asked extra compensation from Congress. They pleaded extra expense and hazard (4 *Annals* 498, 522).

75. See letters of Dawson and L. Wood to Wolcott, Oct. 8, 1793 ff., *ibid.*

76. Seventy were buried in potter's field night of Oct. 9 besides corpses in other grounds. " . . . the Mortality increases with . . . every hour, and in its consequences more sudden & violent than heretofore." The post office was closed, "not a person can be procured to attend." "I am told there is fine doings in the River, easy means of smuggling. . . , little precaution to prevent it." Of the Treasury people, Lawrence was dead, no hopes were held for his wife, and O'Hara "I expect is also gone, as he was so ill as not . . . expected to live an hour." "Walker of our office died after an illness of five days, without any of us knowing that he was even unwell." "It is . . . reported . . . that Doctr^r Rush, owing to the extreme fatigue of Body & Mind . . . lately undergone is considerably deranged in his intellects for these two days past" (Dawson to Wolcott, Oct. 19; cf. Rush to same, Oct. 8: "I am so weak that climbing a few pair of stairs in a forenoon, frequently unfits me for duty. . . "). Burials diminished, then increased. Perhaps, said the faithful Dawson, those stricken with the true fever had not recovered "by the use of *Doctor Rush's* or *any other prescriptions whatever*. He has however the greatest [number of] Votaries in his train. . . ." Finally, Oct. 30, "A White Flag has been displayed at the Hospital of Bush Hill this morning on which is portrayed in legible characters, No more sick persons here!" Clerks applied to the Treasury for places of the dead, Jno. Laub submitting an apostrophe to independence, thus proving penmanship and patriotism at one stroke, as it were.

77. L. Wood to Wolcott, Oct. 28, and Dawson to same, Oct. 30, 1793, *ibid.*

78. ALS, Henry Kuhl, N.Y., to Wolcott, Oct. 21, 1793. "Col. Hamilton left this place on friday last [Oct. 18] on his way home." He would visit Paterson en route. See Dawson to Wolcott, same day; Fenno's brother arrived at Phila. Saturday (Oct. 19) and had seen H coming down (*ibid.*).

79. Afterward called "Lemon Hill" and stood in Fairmount Park; see original water-color facing p. 26 of Lawrence Lewis' *Hist. of Bank of N.A.* (Morristown Hist. Mus.). H called it "Fair Hill," 2½ miles from Phila. (to Washington, Oct. 24, 1793 [4 JCHW 477]).

80. ALS, L. Wood, chf. clk., secs.' office, to Wolcott, Nov. 1, 1793, Wolcott Papers, CHS.

81. ALS, Dawson to Wolcott, Nov. 5, 1793, *ibid.*

82. Washington wrote him Sept. 25, again Oct. 14 1793 (ALsS, 21 HLC 2838, 2853). Heads of depts. should surely confer with him in or near Phila. by Nov. 1. Did H think the President had constitutional authority to call Congress to meet elsewhere than in the capital, say Germantown? ". . . as none can take a more comprehensive view & . . . a less partial one of the subject than yourself . . . I pray you to dilate fully upon the several points here brought to your consideration."

83. To Washington, Oct. 24, 1793, above.

84. ALS, Caleb Lownes, City Hall, Phila., to H (*ibid.*, 2858–60).

85. “J.M.” (John Meyer, a Treasury clerk) to Knox, Nov. 2, 1793, H’s hand in margin; H’s relapse occurred Oct. 29 (22 Wolcott Papers, CHS).

86. Nov. 3, 1793 (4 JCHW 481–2).

87. See H’s record of Cabinet decisions Nov. 8–22, *ibid.*, 480–81. A New Yorker at this time was bold enough to ask H to go to his old lodgings in Phila., find his trunk, and select certain certificates for processing at the Treasury. His presumption in making the secretary his errand boy was accompanied by a political observation: Genêt’s letter to the governor of South Carolina amounts to this—“The President is surrounded and bewildered by Mess^{rs} Hamilton[,] Jefferson & Knox who are Rascals & Lyers & Puppies beneath my Notice. They are in the Service of Great Britain and about to ruine the Country, but I shall apply to the Congress, expose their Treachery & have them hanged” (ALS, Hu Williamson to H., Oct. 16, 24, 1793 (21 HLC 2848, 2856); same to J. Meyer, Oct. 24, *ibid.*, 2855). At the end of August, shortly before H took yellow fever, Washington asked him to draft a reply to resolutions of Richmond approving neutrality measures. Seemingly it could not be prepared until three weeks later. In it, H took opportunity to counter pro-French sentiment prevalent elsewhere in the South. He praised “steadiness of views highly honorable to the national character, . . . calculated to support . . . the great object of peace” (Washington to H, Aug. 27, and to inhabitants of Richmond, Sept. 18, 1793 [4 JCHW 471, 474–5]).

88. To Washington, Nov. 23, 1793, *ibid.*, 489–90.

89. Schuyler was insistent. He was anxious that the Hamiltons were so near the city, where infection must linger and, as Dr. Stevens feared, might again become epidemic. If after a time conditions warranted, the baby and his nurse would be sent down, but the older children should remain until spring. This would be more convenient if H clung to his wish to retire from the Treasury at the end of the coming session of Congress (ALS, Schuyler to H, Nov. 17, 1793, Morristown Hist. Mus.). At Christmas H wrote Angelica Church in London that his health was “almost completely restored.” The “last vestige” of the “severe shock . . . of the malignant disease” was a “nervous derangement” which, however, was yielding to a regimen of exercise. He would leave office in the spring unless war broke out between this country and a European power (Dec. 27, 1792[3]), Church Papers, Yale, Hay transcript).

90. 4 JCHW 485–7; cf. LS [to President], Nov. 13, 1793, reporting final settlement of accounts previous June 29, with a balance of \$49,030 in favor of N.J. (Yale Univ., Hay [Southard] Coll.; copy of commissioners’ report is in 20 HLC 2698–2700). This was officially the end of a vexed business

which many thought could never be concluded; Gallatin, as appears elsewhere in these pages, continued to contend the operation had been needlessly costly to the U.S.

91. Dec. 3, 1793 (4 JCHW 492-3; See *Annals* 3d Cong. 1-2 Sess., 12. Utility of a military academy, which Washington had in mind (see JCHW *ibid.*, 483) and H expanded five years afterward, was not now broached.

Chapter 16 (Pages 287 to 307)

Anticipations of a Treaty

1. ALS, H [to McHenry], April 5, 1793, with copy in McHenry's hand of his note to his friend Perry (Huntington Lib.); ALS, McHenry to H., April 14, 1793, describing Coxe as conniving, intriguing (19 HLC 2554).

2. ALS, to H, June 14, 1793 (19 HLC 2654-7).

3. Cf. Harold Hutcheson, *Tench Coxe*, 37 ff.

4. *Annals* 2d Cong., 1-2 Sess., 328, 431.

5. *Ibid.*, 1382-6; for excellent example of accounting practices prescribed for War Dept., AL, Wolcott, Sept. 30, 1794 (28 Wolcott Papers, CHS).

6. *Ibid.*, 125, 559, 598.

7. ALS, Coxe to H, Treas. Dept., May 6, 1792 (16 HLC 2123-5). He reminded that his protest could not be laid to ambition, for he had been willing to leave the Treasury for the Post Office Dept. Dr. Benj. Rush recommended Coxe to Hamilton as "a moving commonplace book ["library" struck out] of Pennsylvania," who had been fair to anti-Federalists, but Hamilton already knew him from the Annapolis Convention (LS, Jan. 5, 1789 [7HLC 931]).

8. H committed to him also superintendence of lighthouses (Treas. circular, May 22, 1792, NYPL). Coxe had insisted earlier that customs should not come under the comptroller, who must sit in judgment on collectors' accounts.

9. Copy, Dec. 29, 1794, to Coxe, 22 Wolcott Papers, CHS; cf. same to same, Nov. 8, 1794, concerning pay of troops to be disbanded, and his letters to agents and contractors, Sept. 12, 15, 28, 1794, 28 *ibid.*, showing H's attention to every detail until he had to join the march. On H's retirement, when Wolcott became secretary, Henry Kuhl, who had been H's chief clerk, was made comptroller pro tem, and was succeeded by

Jno. Davis (Kuhl to N. Appleton, June 13, Davis signing as comptroller, Oct. 2, 1795, U.S. Treasury Papers, NYPL).

10. Feb. 1, 1795 (24 HLC 3290). For Coxe's exit from Treasury, and complaint to Congress of Wolcott, *Aurora*, Dec. 29, 1797, Feb. 1, 1798. Such "peculiar personal circumstances" had prompted H to recommend against giving comptroller's duties temporarily to Coxe (to President, Feb. 12, 1795 [24 HLC 3297]).

11. ALS, Aug. 5, 1795 (7 Wolcott Papers, CHS).

12. *Aurora*, April 16, 1799.

13. *Gaz. of U.S.*, April 16, 27, 1799.

14. Annals 3d Cong., 1 Sess., 144. Jefferson kindly sent H copies of his letter to the President and his table showing comparative treatment of our commerce by France and Britain. This was because the subject was one "whereon the Secretary of the Treasury and Th. J. have differed in opinion." (Dec. 23, 1791, 14 HCL 1898.) Before filing it, Jefferson asked the different foreign ministers to check pertinent matter. Hammond for Britain had some objections, Ternant for France none. Jefferson's assurance to the latter was symptomatic of what French partisans were to say in the controversy: "I am happy in concurring with you . . . in . . . sentiment, that as the principles of our governments become more congenial, the links of affection are multiplied between us. It is impossible they should multiply beyond our wishes. Of the sincere interest we take in the happiness & prosperity of your nation you have had the most unequivocal proof" (Feb. 17, 1793, 6 *Writings* [Ford ed.] 189); cf. Feb. 23 to same: ". . . we earnestly wish . . . that . . . our mutual dispositions may be improved to mutual good by establishing our commercial intercourse on principles as friendly to natural right & freedom as are those of our government" (*ibid.*, 190). For copies of letters of Jefferson to H, June 4, 9, 1793, and H to Sheldon, no date, concerning American shipping policy toward foreign nations, 5 Sparks ms., Houghton Library.

15. From letter of transmittal, *Writings, ibid.*, 470 n.

16. *Writings, ibid.*, 483.

17. See Harold Hutcheson, *Tench Coxe, a Study in American Economic Development*, 28-9, 32-6, for full presentation of the unmistakable evidence. This scholarly work illumines Coxe's contradictory loyalties to Federalists and Republicans until finally he became attached principally to the latter.

18. *Annals, op. cit.*, 155-58.

19. *Ibid.*, 158-9.

20. Smith's speech, all in H's hand, is in 23 HLC 3245-51, headed "Detailed Remarks on the Commercial Regulations of France & Great

Britain, in reference to the United States." "Detailed" should not have been stricken out, for particulars concerned fish oil, pitch, tar, turpentine, flax seed, salted provisions. This kind of performance refutes slurs of John Adams on H's industry. Here, with great knowledge, he was furnishing what his spokesman never could have done for himself. Manuscript has H's usual revisions: extended speech as delivered is in 4 *Annals* 174 (Jan. 13, 1794). As soon as he had text of it Jefferson told Madison, "I am at no loss to ascribe Smith's speech to its true father. Every tittle of it is Hamilton's except the introduction." He had heard it all from H in official discussions. "The very turn of the arguments is the same. . . . The sophistry is too . . . ingenious, even to have been comprehended by Smith, much less devised by him." He guessed rightly that H had prepared a counterreport which he chose to submit to Cong. in this form (April 3, 1794, 9 *Works* [Monticello ed.] 281). Refutation of the Jefferson-Madison arguments that France rather than Britain favored our commerce took H into a deal of research and calculation. This is evident not only in the speech of Smith, which H prepared, but in elaborate memoranda, figures, and tables (21 HLC 2924-7). Tench Coxe, who had helped Jefferson on his report, now aided H in compiling data to counter Madison's resolutions based on the former! (Coxe to H, Jan. 3, 1793 [18 HLC 2500]). Worksheets in 18 HLC 2456-63 seemingly relate to H's report on comparative treatment of U.S. commerce by Britain and France. In H's hand is "Sketch of Exports of G Britain to Countries of her principal Export," with data attributed to Anderson's *Commerce*, Vol. 5, p. 226; Vol. 6, pp. 774, 808. He may have consulted copy of this work now (1960) in Schuyler mansion, Albany. Other autograph notes give British duties, especially in the West Indies, on certain U.S. products. Some sheets appear to be copies in another hand of what he wrote. Two experienced Federalist merchants of Boston contributed to H's report; see ALS, Stephen Higginson, Jan. 2, 1792, to Geo. Cabot, commenting on Cabot's observations (evidently sent to H) on U.S. trade with British and French in Europe and in West Indies (15 HLC 2012-15). Cf. Bond, British consul, in a paper which H examined, "Great Britain has granted America greater advantages, in point of Commerce than any other nation in Europe can grant" (*ibid.*, 2021-23).

21. Smith's (H's) speech was reprinted in Edinburgh with title "Peace with England Salvation to America." A Glasgow correspondent said it was "wretched . . . policy" in Smith "to expose the weakness of his country. . . . The speech was vastly praised here by a certain set; and the author . . . is said to have been one of your trustiest officers during the war with England, and . . . generally looked up to as a successor . . . of your present president" (*Aurora*, Phila., June 23, 1795).

22. *Annals*, *op. cit.*, 174-76.

23. *Ibid.*, 177-92.

24. *Ibid.*, 192-209. In the spring of 1791 Jefferson complained that "our treasury still thinks that . . . encroachments of Gt. Brit. on our carrying

trade must be met by passive obedience and non-resistance, lest any misunderstanding with them should *affect our credit, or the prices of our public paper*" (ALS to Monroe, April 17, 1791, Monroe Papers, NYPL). Later on, as President, he was ready in the embargo to give passive obedience, demanding less than "the full benefit of the neutrality of our flag."

25. *Annals*, *op cit.*, 209–25.

26. "The rage for theory and system . . . would entangle even truth in the web of the brain, is the poison of public discussion. One fact is better than two systems" (*ibid.*, 330). However, there was a lengthy exchange between Ames, Smith, and Madison (328 ff.)

27. *Ibid.*, 268; cf. Abraham Clark, 245–6.

28. *Ibid.*, 274 ff.

29. *Ibid.*, 302.

30. *Ibid.*, 507.

31. *Annals*, 3d Cong., 1 Sess., 511.

32. *Ibid.*, 530, 531.

33. *Ibid.*, 532–3. Page supplied a beauty spot: "I confess, sir, I never discovered any advantages which could be derived from any of his Reports to this House, as to systems of finance, or of Ways and Means; . . . those . . . we have adopted, were unnecessarily complicated, and by no means adapted to the genius . . . of our infant Republic. . . .

34. *Ibid.*, 534–5.

35. *Ibid.*, 535–8.

36. *Ibid.*, 542–52.

37. *Ibid.*, 598, 600, 683.

38. *Ibid.*, 561, 600.

39. *Ibid.*, 602–3.

40. *Ibid.*, 89–90.

41. British orders in council, Nov. 6, 1793 (but not announced till end of year) were aimed at destroying all neutral trade with French colonies. Cruisers should bring in for adjudication vessels laden with French colony products, or carrying supplies to these possessions. At same time a large British fleet sailed for the French West Indies. Orders of Jan. 8, 1794, superseded the foregoing, restricted capture of neutral vessels to those with French goods French owned, or to vessels bound to France. An angry

Congress, March 26, 1794, laid embargo, extended to 60 days, to obstruct supplies to British forces in West Indies.

42. The "Hamiltoniad," which raked the devoted victim fore and stern, said the Sec. of the Treas. "acted as the lieutenant or *locum tenens* of the British Minister, to effect that by sap and mining, in which force and tyranny had failed. . . . all his speeches and writings tended to the aggrandizement of Britain, and the humiliation of America. . . . we found him travelling with his arbitrary prejudices about him, like a squaw with her papooses!" (p. 13, n.).

43. To Grenville, Jan. 5, 1795 (Ford transcripts, NYPL, British State Papers). However, Hammond discovered that this force was sometimes thrown against him.

44. Hammond to Grenville, Jan. 9, 1792, *ibid.*; Grenville in reply hoped others in America agreed with H on Negroes and St. Croix (March 17, 1792).

45. Same to same, March 7, 1793, *ibid.* Rupture between G.B. and U.S. would not hurt the former except to injure British speculators in our funds. But to America the bad effects would be "immeasurable." A small part of the British naval force could shut up our ports, cutting off customs income essential to running the government and paying the debt. If economic strains were added to our internal political dissensions, the results would be ruinous.

46. The purpose of it was "to recommend a closer connexion with France, and to inculcate . . . commercial hostility with Great Britain" (to Grenville, Feb. 22, 1794, *ibid.*).

47. Same to same, April 5, June 8, 1792, *ibid.*

48. S. F. Bemis, 2 *The American Secretaries of State and Their Diplomacy* 34-6.

49. *Op. cit.*, 35.

50. H to Jefferson, 4 LHW 354-8; date here assigned is March, 1792, but as Jefferson's paper was not delivered to Hammond until end of May, either H saw only an early draft or date should be later.

51. Jefferson to Madison, June 1, 1792, (6 *Writings* [Ford] 69); *ibid.*, 7-11 for Jefferson's notes on H's points.

52. Hammond to Grenville, June 8, 1792 (British State Papers, 1789-92, transcripts, NYPL).

53. Jefferson to Madison, June 4, 1792 (6 *Writings* [Ford] 71). Jefferson, contrary to Hammond, thought their conversation inspired "mutual confidence."

54. Whitehall, Aug. 4, 1792. So far was H from blocking negotiations by discrediting Jefferson's arguments that he himself stood in the way of progress by refusing to see the king intervene in our Indian war. Only if the king's good offices were accepted, said Hammond, could he hope for success, and, among other discouragements, H assured that such would be "instantly rejected" (to Grenville, June 13, 1792, British State Papers, *ibid.*).

55. To Grenville, *ibid.*

56. Bond to Grenville, St. Albans St., Oct. 12, 1792, mentioned in transcripts.

57. Cf. Grenville to Hammond, March 12, 1793, *ibid.*

58. March 17, 1792, *ibid.*

59. To Grenville, June 8, 1792, *ibid.*

60. Hammond to Grenville, July 3, 1792, *ibid.* It may be that H enlisted Canadian support through Schuyler.

61. Same to same, April 5, July 3, 1792. Britain was building up to war with Spain, the ally of France, so American demands at Madrid were pertinent. Grenville was warned against reports that Spain had become less resistant, for, said Hammond, "in my communications with Hamilton I have never yet . . . had reason to suspect him of artifice or imposition."

62. To Grenville, Nov. 6, 1792, *ibid.*

63. Grenville to Hammond, Jan. 4, 1793, *ibid.* Hammond obliged with a précis of American politics. The revolution in France intensified the animus of parties. Equalitarian notions were readily imbibed by a population characterized by little disproportion of property. The facility with which the government of France was subverted encouraged the conviction that the constitution of a country may be altered whenever popular caprice demands. The Eastern states solidly opposed this. "The Secretary of the Treasury, in whom . . . originated the plans of finance . . . that secured their adherence to the constitution (though legally ineligible to a seat in either house) might . . . be regarded as their leader." When Jefferson arrived he supplied consistency to their Southern opponents. "His mind long agitated by visionary speculations of liberty had received an additional impulsion from . . . events . . . in France previous to his departure. . . ." He had a "rooted aversion to Great Britain," was himself a British debtor. The leaders of the two parties had collided. Accusations against H's conduct of the Treasury were part of the effort to blacken the character of Adams in the coming election, in case Washington refused a second term. Had the attempt to displace H succeeded, his enemies would next have assailed "the systems he established," which were "among the most material props of the government" (*ibid.*, March 7, 1793).

64. To Grenville, April 2, 1793, *ibid.* However, the same day Hammond reported separately that Col. Smith, Vice Pres. Adams' son-in-law, had collected 40,000 stands of arms for France, and laid out \$200,000, due France in last year's installments, in wheat and flour. Hammond pointedly included a list of American vessels which would take these foodstuffs to France under pretense of being American property. Later (June 10) Hammond substantially deflated this rumor. For a later, larger convoy, principally French, *ibid.*, March 6, and for a venture of R. Morris of 400,000 bbls., Aug. 3, 1794.

65. May 17, 1793, *ibid.*

66. Same to same, July 7, 1793.

67. Same to same, Aug. 10, 1793, *ibid.* A month earlier 120 merchantmen convoyed by French ships of war had reached Norfolk from Cape Francois, San Domingo, bringing white survivors of destruction of that settlement. In autumn of 1791 H obtained the President's permission to furnish \$40,000 which the French minister asked to supply food to San Domingo, this sum to be credited on the debt due to France (4 JCHW 174-6). Fourteen months later, when the French king was dethroned, H was doubtful whether a further sum requested for this purpose would be credited if the monarchy were restored, but was persuaded on grounds of humanity (to Washington, Nov. 19, 1792, *ibid.*, 328-31). H personally contributed generously to the relief of the San Domingan refugees here.

68. Same to same, Sept. 17, 1793, British State Papers; cf. Grenville to Hammond, Jan. 11, 1794. A year and a half earlier Hammond had done what he could to detract from the announcement of Jan. 31, 1791, that the third section of the Navigation Act would be strictly enforced, since it would have practically prevented any commercial connection between the two countries (same to same, April 14, 1792).

69. To Grenville, March 23, April 17, 1794, *ibid.* A few months afterward, though, H removed any fear that the U.S. would join the League of Neutrality of Sweden and Denmark, since it was the policy of this country "to avoid all European alliances" (same to same, Aug. 3, 1794, Jan. 5, 1795, *ibid.*).

70. Nov. 20, 1794, *ibid.* This appeal must have arrived after H left office.

71. Hammond to Grenville, Aug. 14, 1795, *ibid.*

72. Bond to Grenville, May 4, 1796, *ibid.*

73. To Grenville, Oct. 13, 1796, *ibid.*

74. Same to same, April 18, 1797, *ibid.* Pickering, now Sec. of State, as a result of his "late contestations with Mr. Adet [the French minister] . . . is become one of the most violent Antigallicans."

Chapter 17 (Pages 308 to 330)
Suppression of Whiskey Insurrection

1. See memo. in H's hand, made at different times, Morristown Hist. Mus.
2. ALS, Jabez Bowen to Benj. Bourne, Jan. 24, 1791, RIHS; however, he soon warned "Our Distillers kick pretty hard at the Excise[.] I hope every Reasonable Indulgence will be given them[,] taking Care to secure the Money" (same to same, Feb. 7, 1791, *ibid.*). Another Providence man thought "Ardent Spirits a proper object of Excise," yet the tax on the domestic was too high as compared with that on the imported, and "the draw back upon Exporting ought to be equal to both the Excise on the Rum & the duty on the Molasses. . . ." Welcome Arnold to Bourne, Feb. 5, 1791, Peck Coll., *ibid.* Fisher Ames reported that petitioning New England distillers would profit by some change in ratio of excise to import duty, "But they will not make a clamor against the Excise Act as it is" (ALS, to H, Sept. 8, 1791 [10 Wolcott Papers, CHS]).
3. ALS to Theodore Sedgwick, Jan. 12, 1791, Sedgwick Papers, MHS. However, New England evasion was not wanting. A Massachusetts man warned, "the habits of defrauding the State revenue of the excises have been long growing . . . and so . . . unequal is the collection . . . that many men who . . . would have disdained . . . little tricks, are now willing to rid themselves of the burthen . . . and [wish] the Collectors should be as weak and incapacitated as can be found" (ALS, Thos. Dwight, Springfield, to Sedgwick, March 14, 1790, Sedgwick Papers, MHS). A Providence merchant wrote his congressman that the duties on spirits of our own manufacture were too high. The great business of exporting these would be ruined, for it would be cheaper to bring in West India rum, Geneva, and brandy, take the drawback, and export them instead of the domestic product. Even when he learned that the domestic duty could be drawn back on export, he found fault (ALS, Ephraim Bowen, Jr., to Benj. Bourne, Jan. 17, Feb. 3, 1791, NYPL). He heard with resentment that the people in the back parts of Pennsylvania and Virginia intended not to pay the tax (*ibid.*, Jan. 15, 1791).
4. ALS, to Sedgwick, Jan. 30, 1791, Sedgwick Papers, MHS.
5. ALS, Edw. Carrington, Feb. 2, 1791, Madison Papers, NYPL. The collector for Louisa County, Virginia found little grumbling at the law, especially after its true meaning was explained to the people. No distiller would be more than ten miles from an officer with whom he could register (copy, Chas. Yancey to Edward Stevens, inspector, 1791 [14 HLC 1906-7]).

6. *Gaz. of U.S.*, Feb. 9, 1791.
7. See ALS, Wm. Jackson, Wilmington, N.C. to H, April 25, 1791, Houghton Library.
8. Findley, *History of the Insurrection in the Four Western Counties of Pennsylvania*, 79–80.
9. See letters of Neville of May 19, 29, June 2, 1791, to Duer, Duer Papers, Misc. Box. 2, 3d packet, NYHS.
10. See circular LS, H, Treas. Dept., June 25, 1791, this one to John Chester, Hartford (A. J. Liebmann Coll., NYPL).
11. ALS, Halifax, N.C. to H., Nov. 17, 1791 (13 HLC 1720–21).
12. Aug. 16, 1794 (6 LHW 409).
13. Aug. 23–Sept. 2, 1794, *ibid.*, 410–26. This appeal to the people was to the majesty and responsibility of the majority, and was farthest removed from demagoguery. These pieces illustrate H's solicitude (often denied) for popular rights, to be enjoyed through respect for constitution and statutes. For a similar view, at the other extreme of party allegiance, see Andrew Jackson to Maj. H. Lee, Dec. 25, 1826, anent Hartford Convention (Monroe Papers, NYPL).
14. For these and other pertinent documents, see 6 LHW 338–451. Instructions to commanding general, attorney of the district, and supervisor of revenue appear in skeleton form in "minutes" all in H's hand, heavily revised, in 19 Pickering Papers, 303–4, MHS.
15. Cf. (draft) to Abraham Hunt, Aug. 17, 27; to Sam'l Hodgdon, Aug. 25; to Geo. Gale, Aug. 27, 1794, Wolcott Papers, CHS.
16. 6 LHW 415, 423.
17. To Tench Coxe, from Pittsburgh, Aug. 8, 1794, in 2nd ser., Pa. Archives, IV, 142–3.
18. 6 LHW 418.
19. For standard reasons for opposition of the Westerners to the excise, see full argument of H. H. Brackenridge in *Nat. Gaz.*, Feb. 9, 1792. He concluded: "This is . . . no country from which to raise a revenue. It is as yet . . . but a nursery . . . from whence you are not to expect fruit. Take your apples from your orchards. . . ."
20. A firm stand against insurrection was more difficult because prominent men of the locality, who needed to be united, were at odds with each other. Findley and Brackenridge were enemies, and Brackenridge was a target for most of those in the Neville connection. (See H. M. Brackenridge, *Hist. Western Insurrection*, ix–x.)
21. 6 LHW 422–3.

22. *Pa. Archives, op. cit.*, 145-6.

23. Autograph minutes of instructions, Pickering Papers, MHS, *op. cit.*, in more extended form in H to Lee for Washington, Oct. 20, 1794 (6 LHW 445-7); at still greater length in Washington's proclamation, *ibid.*, 292-3, and in "Tully," *ibid.*, 414 ff.

24. Sec. of State (H's draft) to Mifflin, Aug. 7, 1794 (6 LHW 406). It is curious to note that Gen. R. E. Lee said of his father in accepting command of the punitive force, "the governor of Virginia sacrificed no duty [for] the insurgents resisted by force of arms not only the authority of the United States but that of Pennsylvania, their 'native country.'" R. E. Lee plainly approved employing an army "too great to be resisted," as that crushed the rebellion without shedding of blood (Henry Lee, *Memoirs of War in Southern Dept.*, ed. by R. E. Lee, N.Y., 1869, pp. 46 ff.).

25. ALS, Dec. 12, 1794 (23 HLC 3230). Even Brackenridge thought 15,000 men were needed "to reduce the insurrection by force." Attempting it with fewer would have led to lasting civil war. He estimated Westerners gathered at Braddock's Field numbered 7,000, and a third of the 5,400 that went to Pittsburgh were horse (1 *Incidents* 66, 72).

26. 6 LHW 358 ff. Every happening related was more elaborately treated in other and unofficial, not to say partisan, accounts published shortly afterward; e.g., H. H. Brackenridge, *Incidents of the Western Insurrection*; Wm. Findley, *History of the Insurrection in the Four Western Counties of Pennsylvania* (Phila., 1796); James Carnahan, "The Pennsylvania Insurrection of 1794 . . ." in Vol. 6, *N.J. Hist. Soc. Proceed.* (1853), 115-52. The *Pittsburgh Gazette* published notices, resolutions, etc., and other such were distributed as handbills.

27. 6 LHW 358-63.

28. H had cordial approval of Gov. St. Clair of his measures taken "to make it more apparently the Interest of the People in the western Counties of Pennsylvania to comply with the Excise Laws; it was their real interest before." Those fostering opposition did so for bad purposes (ALS, Cincinnati, Aug. 9, 1793 [20 HLC 2767-8]).

29. 3 *Writings* 7.

30. 6 LHW 363-75.

31. He may have been the same "Lt Mcfarlin . . . a man of veracity" whom Gen. Wm. Irvine sent to make certain representations to Washington in the Revolution; cf. copy Irvine to Washington, Nov. 11, 1779, 2 Irvine Papers, PHS.

32. John Nevill (*sic*) advertised that in his house at Bower Hill, Cartier's Creek, plundered and burned by rioters Thursday evening last was \$1611.60 of funded debt of U.S. in his name, in two certificates. If they came into hands of an honest man, send to Col. Presley Nevill, Pittsburgh

(July 20, in *Gaz. of U.S.*, Aug. 1, 1794). Of same date and issue is enforced signed resignation of Robert Johnson, a collector: "Finding the opposition to the revenue law more violent than I expected, regretting the mischief that has been done, and may from the continuation of measures, seeing the opposition changed from a disguised rabble to a respectable party, think it my duty and do resign my commission" (*ibid.*). John Reed, of Reedsboro, on pain of having his stills consumed, was commanded to publish a notice, signed Tom the Tinker, July 19, 1794, found posted on a tree near his distillery. Among troops under Tom's direction, many, including distillers, absented themselves from the late expedition against "that insolent excise-man John Nevill. . . . I, Tom the Tinker, will not suffer absentees when notified to attend . . . any expedition . . . to obstruct the execution of the excise law. . . . To prevent a great deal of trouble it will be necessary to repeal the excise law and lay a direct tax on all located and patented land in the United States" (*ibid.*). Political animus inspired resolutions of the Democratic Society of Wythe Court-House, July 4, 1794, published by John Neely, chm., and John Montgomery, sec.: "Among the different powers combined against the Rights of Man, we have marked the British nation the champion of despotism." Washington had been too long in office. "What has become of your constitution & liberties? . . . Under the corrupt influence of the paper system, [govt.] has uniformly *crouched* to Britain, while . . . our allies the French, to whom we owe our political existence, have been . . . denied any advantages from their treaties with us; their Minister abused. . . . Let us unite with France, and stand or fall together." Speculators are condemned; members of the society are addressed as "Citizen" this and that (*ibid.*); see answer of *Gaz. of Maine*, *ibid.*, Sept. 5, 1794. However, several communities, the Democratic Soc. of Pa., and individual correspondents upheld the law (*ibid.*, Aug. 7, 29, Sept. 2, 3, 1794).

33. Circumstantial accounts of this narrowly escaped disaster are in Pa. Arch., *op. cit.*, and in histories of the rising by Brackenridge and Findley. Brackenridge defined his temporizing conduct at length. He advised that the inspector Neville deliver up his commission, "to put by the tempest for the present," and a new one could be made out. "I am not a fighting man; and it was most natural for me to think of policy. . . ." (1 *Incidents* 6-7). But, as H believed, he was worse than timid. When one at Parkinson's Ferry objected to certain features of government, Brackenridge said be patient; "let us bull-bait the excise law for the present, and, in due time, we will knock down every thing else" (*ibid.*, 100).

34. To Lord Grenville, Aug. 3, 1794, British State Papers, Ford trans., NYPL. A fortnight later he thought the government force of 15,000 "will be found inferior to that of the insurgents." In consequence of unrest in Western parts, "The present general situation of this country is . . . extremely critical" (*ibid.*, Aug. 16, 29, 1794).

35. Pa. Arch., *op. cit.*, 145.

36. Mifflin (Dallas) to Washington, Aug. 12, 1794, Pa. Archives, *op cit.*, 151-2.

37. 6 LHW 436-41. The draft is much corrected, interlined, with additions in margins (Aug. 30, 1794, 19 Pickering Papers, MHS).

38. Sept. 2, 1794, Pa. Arch., *op cit.*, 247 ff. H informed King, from Phila., Sept. 17, 1794: "Mifflin, who at first showed some untoward symptoms, appears now to be exerting himself in earnest and with great effect, and goes at the head of his militia" (5 JCHW 609-10).

39. Sept. 8, 1794, *ibid.*, 264-6.

40. See Sec. of War to Gov. Mifflin, Dec. 5, 1794, Pa. Arch., *op. cit.*, 486-7. The President added "his sincere thanks for your zealous and powerful co-operation in the suppression of the late insurrection, as well for your exertions in calling out the Militia, as for your services in the field." For Mifflin's rally of reluctant militia "to assist in rescuing from anarchy, as you did from despotism, the freedom . . . of America," see his address in *Gaz. of U.S.*, Sept. 11, 1794. Addressing the Pennsylvania legislature Dec. 6, 1794, Mifflin spread himself as he was wont to do. Whatever his perception of obstacles when first summoned by President Washington, he was now all national gratulation. He remarked in opposition to assertions of others that the government did not intend by crushing the rebellion to gain an accession of strength. Rather, the people, to whom the government belonged, had shown their inviolable attachment to it. He said further, what was true, that ignorance, breeding credulity and temerity, was at the bottom of the outbreak. Therefore free common schools would be the best defense against recurrence (Pa. Arch., *op. cit.*, 488 ff.).

41. Walters, *Dallas*, 62.

42. 6 LHW 441-2. From Bedford, "305 Miles Westward of Philadelphia," he wrote his sister-in-law in London that she must not take his presence with the army as quixotic. "In popular governments 'tis useful that those who propose measures should partake in whatever danger they may involve. Twas very important there should be no mistake in the management of the affair, and I *might* contribute to prevent one." Courage of the insurgents had cooled, but return of the phrensy must be prevented. Church, Jay, and Pinckney must be assured that "the insurrection will . . . add to the solidity of every thing in the country" (Oct. 23, 1794, Church Papers, Yale, Hay transcripts).

43. To Washington, Dec. 24, 1795 (6 JCHW 79-80).

44. Cf. (copy) ALS, H to Washington, Sept. 2, 1794 (Morristown Hist. Mus.); H to King, Sept. 17, 1794, 5 JCHW 609.

45. (Copy) ALS, H, Treas. Dept. to Geo. Gale (28 Wolcott Papers, CHS); cf. other letters in this coll., for same month, illustrating his forethought; he all but did the purchasing for some of the agents.

46. *Ibid.* Oct. 4, 1794, Wolcott was sending \$90,000 to the army. Knox was expected that evening (*ibid.*). Oct. 8 Knox, from Phila., to H: "Your exertions in my department during my absence will never be obliterated" (36 Knox MSS. 67, MHS).

47. *Gaz. of U.S.*, Oct. 18, 1794. Washington's reply to the address of the citizens exhorted to "fear the arts of the factious." (Pa. Arch., *op. cit.*, 410).

48. Copy, Wolcott, Phila., to H, Oct. 11, 1794, concerning \$50,000 for the militia army, 21 Wolcott papers, CHS. While Washington was with the military force, H in effect acted as his aide, passing on the general's orders to subordinate commanders and executing some himself. See ALS, Washington, Hartley's, to H at Bedford, Oct. 21, and H's response, Oct. 23, 1794 (23 HLC 3195, 3197).

49. Pa. Arch., *op. cit.*, 405-7. A letter from Carlisle camp told how a dragoon's pistol "went off by accident, and shot a man in the groin, of which he since died." He was brother of a "whiskey boy" being sought by a party of horse (*Gaz. of U.S.*, Oct. 4, 1794).

50. Pa. Arch., *op. cit.*, 146.

51. Findley, *Hist. of Insurrection*, Chap. xiv.

52. Findley, *ibid.*, 223, 226.

53. 6 LHW 445-51.

54. H to Washington from Pittsburgh, *ibid.*, 460.

55. 6 LHW 451 ff.

56. These and all other points coming into the story of the Whisky Insurrection are found on Reading Howell's large-scale Map of Pennsylvania (five miles to one inch), London, 1792. Presumably on the march out Hamilton occupied what Findley described as the "superb marque, . . . which was by far more extensive and elegant than that of the commander in chief on that expedition" (*Hist. of Insurrection*, 227). He did not have to resort to the ramshackle dwellings along the road, with their "stinking beds," described by Dallas as bearable only because they gave some protection from the weather. As it was at Roshaven H was too sick to write at length. On the return trip Hamilton did lodge in houses; Findley mentions those of R. Dicky, Kirkpatrick at Greensburgh, and Wm. Todd (Findley, 245 ff.).

57. ALS, Washington, from Hartley's, to H at Bedford, Oct. 21, 1794 (23 HLC 3195). H replied that N.J. men were close, should be allowed to come up in accordance with Howell's wish (draft, Oct. 23, 1794, *ibid.*, 3197).

58. To Rufus King, Oct. 30, 1794 (10 LHW 77).

59. See H's instructions, for Washington, to Lee, 6 LHW 448.

60. Hamilton's intention that he should fall under outlawry was disappointed, for he retained his considerable property in Washington, including his good stone residence still standing, and some years later revisited the place. (I have this on authority of Mr. Earle Forrest, of Washington, who has seen some thirty letters of Bradford in the years following his flight.)

61. H to Washington, Nov. 8, 1794 (6 LHW 456).

62. H to Washington, from Roshaven Township, Nov. 8, 1794, *ibid.*

63. H to Washington, from Roshaven, Nov. 11, 1794, *ibid.*, 457. A correspondent from Bedford three weeks before said that 40 or 50 men had been brought in there by the military scouts. No man was shown violence unless he resisted arrest (*Gaz. of U.S.*, Nov. 3, 1794). Findley gave similar favorable account of decency of the arresting parties in Washington County later (*op. cit.*, 200 ff.).

64. To Washington, Nov. 8, 1794, *op. cit.*

65. Findley said H, speaking to others, charged him with being author of the insurrection, intending to overturn the government. H had a special animus because, he said, Findley "had wrote a pamphlet . . . which . . . contained lies on him" (268 ff.). This was doubtless *Review of the Revenue System* (1794) which is summarized in the sentence, "The more minutely you examine the funding system, the mischiefs resulting from it will appear in the greater magnitude and variety" (28). He pointedly accused H, in company with Duer, of exciting speculative excesses; cf. 35. Findley considered that his greater crime was in weaning the House from the initial habit of accepting H's reasoning as a matter of course, until Congress resumed its proper function of originating revenue measures (*Hist. of Insurrection*, 259-61, 275-6).

66. Brackenridge, *Incidents*, 75 ff.

67. 6 LHW 458-9. He noted that evidence had not fixed the situation of Col. (John) Hamilton. Findley observed later that this man, "selected by the secretary for a victim," was dragged down to Philadelphia in the winter, "paraded in a barbarous manner through the streets, thrown for some time into the cells" and was released after several months because "not even a suspicious circumstance stood against him" (*Hist. of Insurrection*, 231-3). In an earlier letter to the President (Nov. 11) he enclosed his autograph list of persons confined at Washington.

68. *Ibid.*, 459-60. The identity of Tom the Tinker, whose name was put to signs threatening complying distillers, was never determined, if indeed there was such a man. Hamilton may have been mistaken in *his* Tom, for later Gen. Daniel Morgan, in command of the troops left in the Western country, wrote Washington that "John colcraft which gave himself

up to me is the old Tinker himself and not he that broke from the guard coming up the River" (ALS, Dec. 1794, no day; 270 Washington Papers LC, p. 117). Not many would be necessary for winter defense of the region, "as the alarm that these people have Experienced is so great that they will never forget it so far as to fly in the face of the law again."

69. ALS, Oct. 26, 1794 (23 HLC 3198-9).

70. Oct. 31, 1794, *ibid.*, 3201-2. Herman Husbands seems to have been mentioned by H only when he was taken into custody in his home county of Bedford on the army's way west (to Washington, Oct. 25, 1794 [6 LHW 452]). He was described by Findley as "a very old man, extensively known on account of some singularities" (*Hist. of Insurrection*, 212). He was a member of the committee of conference named at Parkinson's Aug. 14, 1794. His more notable service had been as North Carolina Regulator, where he displayed his deep concern for democratic rights. Condemned to death in the U.S. circuit court at Philadelphia, he was pardoned by Washington, but died on his way home. (See J. G. deR. Hamilton in 9 DAB 427-8; A. P. Hudson, in *W&M Quar.*, IV, No. 4, p. 478.)

71. From Pittsburgh, in clerk's hand, with one addition by H, Nov. 17, 1794 (28 Wolcott Papers, CHS); cf. to Presley Neville, Nov. 18, 1794, explaining arrangement (*ibid.*), and his description of a similar plan June 25, 1793, draft ALS, to Sec. of War, 22 Wolcott CHS.

72. AL, town of Washington, Nov. 13, 1794 (28 Wolcott CHS).

73. ALS, 7 o'clock in the morning, 270 Washington Papers, LC, p. 5.

74. ALS, Nov. 24, 1794, MHS.

75. ALS, Ph. Schuyler, Albany to Mrs. H, favored by King (Morristown National Hist. Park).

76. ALS, Jon[athan?] Williams, Phila., to H, Dec. 1, 1794 (23 HLC 3223-4). For some cases of U.S. vs. Pa. Insurgents, see 2 Dallas 335-57, 3 *ibid.* 17, conveying official condemnation, but also disabilities of defendants tried at distance from their homes. Two were found guilty of treason, but President Washington wisely pardoned them, since the rising had been put down without bloodshed.

77. 5 JCHW 55.

78. *Ibid.*, 56.

79. Oct. 6, 1794 (33 *Writings* 522); cf. repetitions of request Oct. 9, 16, *ibid.*, 527; 34 *ibid.* 3-4. H was similarly embroiled in the military expedition, or he might have assisted with message, as often before.

80. See to Henry Lee, Oct. 16, 1793 (33 *Writings* 133); to Sec. of State, April 11, 1794, *ibid.*, 321-2; to C. M. Thurston, Aug. 10, 1794, *ibid.*, 464-5; to Jay a little later, Nov. 1, 1794, 34 *ibid.* 17.

81. To Burges Ball, Sept. 25, 1794 (33 *Writings* 507); he distinguished between occasional protest and "a self created, *permanent* body" of censors.

82. *Annals* 3d Cong., 2d Sess., 787-91. President Washington wrote to John Jay, then in London negotiating his treaty, that the "*self-created societies . . . have been the fomenters of the western disturbances. . .*" He praised "The spirit which blazed out" to suppress the rising; five times the numbers of militia required would have come forward. He intended in his speech to Congress to recite origin and progress of the insurrection, partly to prevent misunderstanding by foreigners (4 Johnston's *Jay* 130-31). The democratic societies had been under discussion before Washington delivered his thrust at them in Congress. At the Princeton commencement, Sept. 5, 1794, among numerous topics was "A dispute on the question, is the institution of voluntary popular societies to watch the motions of government, in the present state of this country, wise or useful" (*N.Y. Daily Adv.*, Oct. 4, 1794). A newspaper "communication"—often the work of the editor himself—shortly afterward declared "No part of the conduct of our Democratic Societies, or . . . Jacobin Clubs, has been so criminal as that of traducing our most eminent public men. . . which . . . evidences . . . intentions . . . to promote insurrections." Genêt was accused of distributing money to have the President and Secretary of the Treasury defamed (*ibid.*, Oct. 10, 1794). A correspondent to the eastward of Phila. had called the popular societies "the very mints of Tyranny," but hoped that, as with Shays' rising in Massachusetts, the ill wind would blow good in uniting sound men to support the Constitution (*Gaz. of U.S.*, Oct. 14, 1794). Even after the President's speech, observations of Noah Webster were refused by the *Boston Chronicle* as misrepresenting the designs of what that paper called the Constitutional societies (ALS, Jeremy Belknap, Boston, Dec. 9, 1794 to Webster).

83. *Annals, ibid.*, 793-4; King was chm. of committee which branded "the proceedings of certain self-created societies" as "founded in political error, calculated, if not intended, to disorganize our Government." Philip Schuyler, as would be supposed, was pleased with the President's attack on the societies, with the Senate's approval, and wrote his daughter so (to Mrs. H, from Albany, Dec. 2, 1794, Morristown Nat. Hist. Park).

84. E.g., Venable, *Annals, ibid.*, 910; Parker, 913; Baldwin, 933.

85. *Ibid.*, 920.

86. *Ibid.*, 903.

87. *Ibid.*, 914.

88. Nov. 27, 1794 (10 LHW 78-9).

89. *Ibid.*, 946-7. Four years later Hamilton's traducer, Callender, seating him high in order to topple him low, called him author of the President's

speech attacking the democratic societies. "To hear the Representatives . . . disputing for three weeks upon the wording of an answer to a speech of his own composition, must have been . . . soothing to the self-importance of the . . . secretary" (*History of United States for 1796*, p. 208).

90. To Madison, Dec. 28, 1794, 9 *Works* (Monticello ed.) 293-4.

91. To Thos. Dwight, Nov. 29, 1794 (1 *Works* 153-4). Though the government stood on better footing than ever, "Faction is only baffled, not repenting. . . . New grounds will be found . . . for stirring up sedition. . . ." (to same, Dec. 12, 1794, *ibid.*, 154).

92. Copy, 23 HLC 3260; see printed with slight changes in *U.S. Gaz.*, Jan. 1, 1795; for original draft see Item 162 in catalogue of Am. Art Assn. of auction of Madison Corr., Feb. 26, 1917, there said to be entirely in H's hand, though J. C. Fitzpatrick thought in hand of Tobias Lear (marginal note by W. R. Leech, NYPL). Five years after the Whiskey Insurrection, Hamilton pursued his recommendation that government should indemnify those who had suffered in its service when he supported the claim of Benjamin Wells for additional compensation. Wells wrote that he had received from "Mr. Gallentine" (Gallatin) approval of his claim! Would Hamilton help him frame a petition to Congress? (ALS, Wells to H., March 1, 1800, 69 HLC). H answered that he had urged on the Sec. of the Treasury the good policy of complying with Wells' suit as the means of making officials zealous in hazardous duty; further, an earlier report of the committee of claims that Wells must sue offending individuals was ineligible because vigilantes were usually disguised (March 3, *ibid.*; cf. H. to Sec. of Treas., March 12, *ibid.*, and 6 JCHW 432). However, end of it was a decision of Wm. Miller, Commr. of Revenue, that Wells "appears to have been amply paid for his services and sufferings" (to H., May 29, 1800, 77 *ibid.*).

93. Just before Fauchet's intercepted letter came to the hands of Washington, Randolph warned Monroe, by the vessel that was to take Fauchet, that the French minister "wrapped himself round with intrigue from the first moment of his career in the U.S. He found in me a temper, in no manner turned towards Britain, but warm towards France," but "he has been plotting how to embroil this country with France," and should not be received at home as having the respect of this government (ALS, July 29, 1795, Monroe Papers, NYPL). [Randolph, Edmund], *A Vindication of Mr. Randolph's Resignation* (Phila., 1795), London reprint with slightly changed title, 1796. This lawyer-like reply properly invalidated the accusation because it rested on a mutilated communication of Fauchet, from which dispatches essential to Randolph's defense were missing. For Pickering's assumption, on partial evidence, of Randolph's "criminal conduct," *ibid.*, 25. Jefferson, after a careful reading of the pamphlet, properly agreed that Randolph had cleared himself, but went on to convict his successor, in his political behavior, of trying to work both sides of the street: ". . . he has generally

given his principles to the one party & his practice to the other; the oyster to one, the shell to the other. Unfortunately the shell was generally the lot of his friends the French and republicans, & the oyster of their antagonists" (to Madison, Dec. 31, 1795 [7 Writings (Ford ed.) 41-2]).

94. Oct. 16, 1795 (6 JCHW 47-8).

95. To Wolcott, Oct. 30, and Pickering to H, Nov. 17, 1795, *ibid.*, 57-8, 69. H would with pleasure correct the translation if required, "for . . . it much concerns me, & it is also important to the public & there are many nice turns of expression, which to be rendered perfectly demand a very critical knowledge of the language" (ALS, Nov. 20, 1795, to Pickering, 20 Pickering Papers 102, MHS). What must be H's translation into English, in his hand, of Fauchet's letter, 10th Brumaire (Oct. 31), 1794, to his Department of Foreign Relations, 26 pp., is in 23 HLC 3203-15. H would not have gone to this trouble except that this captured letter, properly exploited, was a triumph for him. Cf. Wolcott to H, Nov. 16, 1795 (25 *ibid.*, folio 3957-8). Pickering was eager that a true translation should appear before the suspected version to be included in Randolph's vindication, which was imminent (to H, Dec. 14, 1795, 6 JCHW 76).

96. Dec. 22, 1795, *ibid.*, 78.

97. Dec. 24, 1795, *ibid.*, 79. Shortly before grave differences developed between them, H had tried, at Randolph's request, to procure a loan for him through Abijah Hammond of N.Y. (See correspondence Jan., March, 1794, in 2d ser. 3 HLC 264-8; cf. an effort of Randolph a year earlier to borrow with H's help; ALS, April 3, 1793 [18 HLC 2546]). Just before H went on the Western expedition he extended a loan to Randolph, who received it with warm sense of H's "disinterested kindness" (ALS, Randolph to H, [Jan., 1795] 25 HLC 3507).

98. *Vindication*, 15, 17, 18, 45. Fauchet told his government, "To confine the present crisis to the simple question of the excise is to reduce it far below its true scale; it is indubitably connected with a general explosion for some time . . . prepared, but which this local . . . eruption will . . . check. . . ." In autumn, 1794, Federalist prospects were dimmed by a Democratic majority in Congress, establishment of popular societies, continued harassment of our commerce by Britain, and "ridiculous negotiations lingering at London." But Hamilton converted gloom to bright triumph by denouncing "an atrocious attack on the constitution. . . ." When the issue was "the destruction or the triumph of the treasurer's plans," Hamilton was to find in "the very stroke which threatened his system . . . the opportunity of humbling the adverse party. . . ." (*ibid.*, 42 ff.).

99. *Ibid.*, 45.

100. *Ibid.*, 50 ff.

Chapter 18 (Pages 331 to 350)

Promoter of Jay's Treaty

1. 22 HLC 3018-40; Jas. A.H. noted that it is a copy from original (surely in King's hand) which was later lost. Earlier efforts of H to compose our differences with Britain and repel "a covert design to embark the United States in the war" as ally of France were in newspaper essays, signed "Americanus" (*Am. Daily Adv.*, Feb. 1, 8, 1794; 5 LHW 74-96). With apt argument he showed that the cause of France was not the cause of liberty and that any aid we could give France would not compensate for the harm we must do ourselves. We should not "rashly mingle our destiny in the . . . errors and extravagances of another nation." These and so many others of his anonymous appeals to the people's reason showed his faith in the soundness of their ultimate judgment. These papers, and similar exertions of Rufus King, Noah Webster, Jay, and John Marshall refute the dictum of Claude Bowers (*Times of Trial*, a collection from *American Heritage* mag., 43) that "the Federalist chieftains were . . . all . . . contemptuous of public opinion."

2. HLC *ibid.*, 3019-20.

3. *Ibid.*, 3026-7. Had H quit Cabinet when he first intended, he might have been envoy to England.

4. April 8, 1794, 1 *Writings* (Hamilton ed.) 291-2.

5. 5 LHW 97-115.

6. Jefferson, anxious to preserve peace, liked the expedient of "cutting off all communication with the nation [Britain] which has conducted itself so atrociously. This . . . may bring on war. If it does, we will meet it like men. . . . I believe this war would be vastly more unanimously approved than any one we ever were engaged in; because the aggressions have been so wanton. . . ." (to Tench Coxe, May 1, 1794 [9 Works (Monticello ed.) 285-6]). Flavor of times appears in belligerency of individuals. J. D. Dawson, Richmond, April 7, 1794, to Monroe, a sympathetic listener: "War seems to be the general expectation, & . . . should we be forced into it, we shall be more united than in 75—for my own part I am resolved to be at the first of it, & if my good right arm does not fail me, I will teach some of those insolent islanders the danger of insulting a free people" (Monroe Papers, NYPL). Gen. Daniel Morgan to Gen. Henry Lee (April 21, 1794): ". . . it Dose appear . . . more than probable that we shall be oblig'd to go to war with Great Brittain—this I have feared for some time

past. . . . I do expect them Disturbers of the peace of Mankind will cause me to Rack my old Bones again" (Myers, 1288, NYPL); he little guessed that in a few months he would be campaigning with Lee against Western Pennsylvanians, who were not pro-British. Gen. Schuyler's attitude was in contrast: "We have no accounts from France which can be relied on. . . . Affairs between us and Britain begin to wear a more favorable aspect and I hope and believe we shall escape the Calamity of war" (to J. B. Schuyler, May 26, 1794, Schuyler Papers, NYPL). "As to the English we have been too . . . forbearing," declared Wm. Eustis of Boston; "they must be whipt. . . . We must drive them out of this country" (May 29, 1794, David Cobb Papers, MHS). He wished that Ames, just reelected to Congress, would "hate the English a little more than he does" (*ibid.*, Nov. 16, 1794).

7. H's friend Wm. Constable, in London at this time, in spite of some fears believed it was the desire of Britain and of America to preserve peace between the two nations. He reported that Lord Hawkesbury, member of Council, reassured an apprehensive London merchant, "as long as Washington is at the head of the executive & the foederal party prevail there will be no war . . . as peace is the interest & wish of the Governments." (To Thos. FitzSimmons, Sept. 27, 1794; letter year before, Aug. 28, 1793, to R. Morris had been less sure; Letterbook, NYPL.) Randolph's depiction of our anxious avoidance of war coincided precisely with H's, though the former spoke of France, the latter of Britain. "Had we indulged our sensibility for the crisis, hanging over france, and associated our injuries with hers, the rashness of the step would have been proverbial. An infant country: deep in debt, necessitated to borrow in Europe, without manufactures, without a land or naval force, without a competency of arms or ammunition, with a commerce, closely connected beyond the atlantic, with a certainty of enhancing the price of foreign productions and of diminishing that of our own, with a constitution . . . in a state of probation and not exempt from foes;—such a country can have no greater curse in store for her, than war" (to Monroe [for French consumption], June 1, 1795, Monroe Paper, NYPL).

8. 5 LHW 97–105.

9. *Ibid.*, 105–15.

10. It was impossible to send a negotiator who suited everybody. The Democratic Society of Pinckney District, S.C., complained Jay violated Constitution by uniting judiciary and executive functions; unless object was to produce "a radical change in our republican government," better confide the business to our consul in London (*Gaz. of U.S.*, Sept. 8, 1794).

11. M_____ (not otherwise identified, perhaps R. Morris) reported his conversation with Secretary of State. Then follow particulars of speeches, voting, whereabouts of members; Jackson, Butler, Hankins, Brown, Edwards retired to lobby when question was about to be put; Martin was excused from voting on own request.

12. April 23, 1794 (5 LHW 115-19).

13. April 27, 1794, *ibid.*, 119-21.

14. *Ibid.*, 121-23.

15. May 6, 1794 (same date as Jay's official instructions), *ibid.*, 123-28. H's eagerness to forward a treaty with Britain is manifest in many respects. An incidental service was recommendation of Samuel Bayard, of New York, to go as Jay's secretary. Delay in the envoy's appointment brought to Jay's notice John Trumbull, of Connecticut, who had special fitness because of his intimacy with the court painter, the American Benjamin West. After some indecision, in which H was further appealed to, Trumbull consented to serve (ALS, Bayard to H, April 23, 1794 [22 HLC 3062-3]). From London Mrs. H's sister Angelica inquired, "why did you not let Mr Trumbull draw your picture for me! he has Mr's Washingtons which is wonderfully like. . . ." (Angelica Church to E.H., Dec. 11, 1794, NYHS). H omitted no opportunity to prosper the project of a treaty. On a hurry call from Randolph he reviewed the reply the Secretary of State was giving to Hammond, the British minister, on the subject of the orders of the previous June 8th. H offered corrections on specific points, but his main caution was to make the American note general and provisional. He counseled "Energy, without asperity"; we should content ourselves with brief dissent from the British position and not enter into particulars, which were committed to Jay. "We are still in the path of negotiation; let us not plant it with thorns" (draft in H's hand, April 27, 1794 [22 HLC 3064-5], not here directed to Randolph; printed 5 LHW 119 ff).

Hamilton's promotion of the treaty was complete, even to travel arrangements for our envoy. He sent Jay reports on available vessels from the collector at Philadelphia and Seton at New York. Trumbull at his request had visited those at the former port and thought the *Adriana* best. If Jay chose one from New York, Seton would complete the financial arrangement, or if from Philadelphia, Hamilton would engage the *Adriana*. ". . . it is proper to decide promptly as the taking off the embargo (a possible event) may render the obtaining a . . . vessel more difficult & the terms worse. . . . I am pretty strongly inclined to the opinion that a fast sailing American will be the most eligible. In calculating chances, these Questions press themselves. Could we rely that a passport from the French Minister would protect an enemy bottom from the capture of French Cruisers? Who can say, from moment to moment, what may be the condition of any of the European neutral Powers with regard to France? If you should once go to France, may not policy impose so many embarrassments to your progress as might frustrate your mission? I need not urge the state of things in that country" (ALS, April 28, 1794, Jay Papers, Columbia Univ.; cf. April 22, May 2, 1794, to Wm. Seton, 27 Wolcott Papers CHS). Seton should charter a vessel "for a *sum certain* (in lieu of all *expences & risks*) to go to Great Britain in *Ballast*." Make sure ship's papers would protect against Algerines.

16. Signed by Randolph, Sec. of State, May 6, 1794, in 1 Am. State Papers (Foreign Relations) 472-4.

17. Madison, when particulars of the treaty were scarcely known, disapproved provision, introduced by H, allowing access to posts by both nations for fur trade. He feared Jay had turned our exclusive right to posts into a thoroughfare which in operation would be almost an exclusive right to Britain (ALS, to R. R. Livingston, Feb. 8, 1795, Livingston Papers, NYHS).

18. July 8, 1794 (5 LHW 135).

19. The Dropmore Papers, containing letters to and from Grenville, involving Jay, George III, Henry Dundas, Duke of Portland, Gouv. Morris, Geo. Hammond, etc., furnish intimate glimpses into negotiation of the treaty. Of special value is Hammond's précis of correspondence concerning alleged breaches of treaty of peace (III, 521 ff.). J. B. Burges, June 28, 1795 (*ibid.*, 87), reported to Grenville dining with Gouv. Morris at Count Woronzow's, when Morris was all congratulations on British signing, thought treaty would be ratified in U.S. since Jay had arrived there to help counteract hostility, "though by a small majority." Morris had "quitted France with sentiments of horror" and thought "the salvation . . . of England . . . essential for the welfare both of Europe and America, and of civilized society itself" (Gt. Britain, Hist. MSS. Comm., MSS of J. B. Fortescue, Esq., preserved at Dropmore, 10 vols.).

20. See Jay to Randolph, Sept. 13, 1794 (1 Am. State Papers, 485). Five months before, he intended we should ask "Indemnification for our negroes carried away" (to Washington, 5 LHW 117). Later he spelled out the British contentions—slaves had become enemy property, spoils of war; had been promised their freedom, and odium of returning them to slavery would invalidate treaty. Jay similarly reformed his view. Details of argument that U.S. first broke peace treaty by obstructing debts are, similarly, in this letter.

21. H had a parental concern for this tax, and Bradford considered it of first importance that act should be upheld by unanimous court in opposition to reasoning of John Taylor, of Caroline, in court below. H accepted invitation, and was successful, as will appear.

22. Photostat, ALS, 24 HLC 3360, left side.

23. July 3, 1795 (34 *Writings* 226-8); ALS, in 24 HLC 3360, marked "Private, and perfectly confidential." H had been out of the Cabinet for five months, but he continued to be almost as much at the call of the President as before, not to speak of the constant assistance he gave to Wolcott and the other secretaries. He was free of the day-to-day burdens of the Treasury, but, all things considered, he was now busier than when in office.

24. "Altho' it was my wish that your observations on each article should be diffusive, yet I am really ashamed when I behold the trouble it has given

you, to explore . . . and explain so fully as you have done, the whole of them" (July 13, 1795 [34 W 237-40]). The autograph draft of H's "Remarks on the Treaty . . ." is in 24 HLC 3363-84—date is July 9-10 (not 14 as in W, *ibid.*, 227 n.), for Washington had it "in the regular course of the Posts" by 13th. 5 LHW 138 calls analysis "Cabinet Paper," which technically it was not, though H remained President's chief adviser. H could hardly have written whole of this long, considered document in four or five days. He must have begun it earlier; he shows familiarity with the counterarguments; did not need text of treaty which Washington sent, as he doubtless knew contents from Jay, King, or others.

25. Mt. Vernon, July 22, 1795 (34 W 244).

26. The President asked pointedly about this, twice, July 3 and 13. H had been informed by Atty. Gen. Bradford that whatever the Senate did was final, "& . . . it is not necessary to submit to them the new article after it shall have been agreed to on the other side of the water" (July 2, *op. cit.*).

27. Washington to H, July 14, 1795 (34 W 241-2); H's letter of 13, giving his adverse opinion, has not been found.

28. 5 LHW 138-40. With evacuation of the posts Britain must abandon any effort to confine us to the Ohio. Fur trade, most of which we would acquire, was rich, but of more consequence was "a secure course to our Western settlements." This is contrary to the idea, sometimes expressed, that H, eager for thick seaboard settlement for benefits of industry and commerce, was not concerned about continental expansion. He did say now, taught perhaps by Whisky Insurrection, that maintaining contact between Atlantic and Western country was a problem. H early approved what became Louisiana Purchase.

29. *Ibid.*, 141-3.

30. *Ibid.*, 144-9.

31. *Ibid.*, 149-162.

32. In remarks at Sec. of State Randolph's request on Grenville's proposals for a commercial treaty, Hamilton raised what was to become the chief specific objection to the document as submitted to President and Senate. It was the provision which "prohibits vessels of the U States from carrying 'West India' productions from the British Islands or the U States to any other part of the World. If the prohibition is to be taken in a *literal* sense and extend to the West India possessions of other countries than G Britain it would be to renounce a valuable branch of Trade now enjoyed and probably more than would be gained" ([1794] 23 HLC 3239).

33. 5 LHW 162-171.

34. *Ibid.*, 174-181. His judgment on treaty as a whole was just what he had given the month before in the newspaper piece signed "Horatius"

(*ibid.*, 181–85). However, there he included, as in the earlier “*Americanus*,” the charge that “the . . . cardinal *sin* of the treaty in the eyes of its [pro-French] adversaries is, that it puts an end to controversy with Great Britain.” The remainder of the short appeal was for peace and trade with all nations, political connection with none.

35. The *Argus*, or Greenleaf’s *New Daily Advertiser* (N.Y.), July 2, 1795.

36. *Ibid.*, July 20, 1795. “A Firm Friend” observed that instead of asking citizens to join in expressing detestation, it were better to invite “to consider the merits of the Treaty, and to signify your sense of it as the result of a full and free discussion. The invitation as it stands is a manifest attempt upon your passions.” It was hoped “real sense of the City may be collected. Be calm! Be steady” (*Herald*, July 18, 1795, II, 118). In this same issue “a candid lawyer,” who may have been H, regretting precipitate action of Boston, said at least a week’s study of the treaty was needed to pronounce on its merits and demerits. Comment on the treaty demanded also knowledge of law of nations, of other U.S. treaties and state of commerce of this and European countries.

37. Stoop was that of “an old Dutch frame-building, the gable-end fronting the street [west side of Broad near Wall], with five or six steps to climb up,” and benches on each side of platform. Here John Rabb made bird cages. A few members of “the Dutch dynasty in Broad-street” still lived nearby (Grant Thorburn, *Fifty Years’ Reminiscences of New-York*, 149–50).

38. *Argus*, *ibid.* If any felt uninformed and would retire to a church, Livingston offered to send there a gentleman who would discuss the treaty article by article “in opposition to Mr. Hamilton.” Fellows and Adams and other leading booksellers of N.Y.C. advertised July 2 that at noon would be published “Authentic Copies of the Treaty.” On the 4th the entire issue of this paper (*Argus*) was occupied by text of treaty, prefaced by Sen. Mason’s note of disclosure and adding the Senate’s conditional ratification. Phila. *Aurora* of Bache was all along chief organ seeking to discredit Jay treaty. June 22, 1795, editor declared President, Senate had “no power to hatch these things in darkness.” Next day same complaint. June 26: “Sidney” from letters from England “and half words dropt and carefully collated here” outlined “prominent result of . . . Jay’s negotiation.” Editor was resentful that public must wait till ratification of “This imp of darkness” to know precise provisions. June 27: Exception of Art. XII reported. June 29: “A Citizen” after “an attentive perusal” of treaty offered substance of contents (from memory!) in two columns. After this, Sen. Stevens Thomson Mason, of Va., sent Bache full text, which he published. Brockholst Livingston’s leadership of N.Y. meeting called to condemn treaty was part of his family’s switch from Federalism. Chancellor Livingston was writing against treaty at same time.

39. *Ibid.*, July 21, 1795.

40. 6 *Hist. Repub.* 259; cf. 225. JCH was only three years old at the time; he may have had the story from his father or mother, or Troup or Fish.

41. E.g., W. W. Pasko, ed., *Old New York*, II, 102 n.

42. Alex. Anderson was there, recorded immediately afterward that noise was made to drown H's words, and assembly broke up in confusion (*ibid.*, 102). Curious to observe the meeting, Grant Thorburn, a young Scotsman, got himself hoisted into the famous buttonwood tree standing near where H spoke. H's eloquence "inflamed their plebeian souls; they cut short his speech, forced him from the stoop, and dragged him through the gutter. Said I to myself, and this is all the thanks you have got for fighting along side of Washington for the . . . freedom of speech" (*Fifty Years' Reminiscences of New-York*, 149-50). At the same moment Pickering, as Sec. of State, was giving Monroe, our minister in Paris, the administration's reasons for approving the treaty (Sept. 12, 1795, Monroe Papers, NYPL), Monroe was exulting that the treaty, though surreptitiously, had been published and was receiving the popular condemnation it deserved. In the last meeting in New York "Col^o Hamilton had his head broke . . . whereby that patriotic citizen was disqualified from further debate, & in consequence [he was] conducted from the field, breathing after the example of Hudibras when vanquished by the heroick Trulla, the utmost contempt for the foe. . . ." (ALS to Thos. Pinckney, Sept. 13, 1795, *ibid.*) Jas Duane, who had been the first mayor of N.Y., wanted to greet Jay there (Duane was at Schenectady) but could not reconcile himself "to visit my native city in the degraded situation to which it is reduced by the late . . . unprovoked tumult . . . which has shaken the very foundation of national liberty and good government, in which Terror and force were substituted in the place of . . . deliberation; convened not to examine . . . advise or recommend but to [silence] those Patriots who came prepared to give and receive information[,] with stones," and burn the treaty the Senate had sanctioned (ALS, July 31, 1795, Jay Papers, Columbia Univ.; a copy in unknown hand, of notice that meeting was called to oppose Constitution and peace, signed "New Yorker," is in 25 HLC 3509-10). Noah Webster a few years later blamed Hamilton for rallying the "best citizens" of New York to oppose a mob meeting in the streets, and for attempting to harangue those who would not hear. His supporters opposed what he was doing, joined in only to gratify their leader (*Letter to Gen. Hamilton Occasioned by his Letter to . . . Adams*, 5-6).

43. *Argus*, July 20, 1795.

44. Others on the committee included J. R. Livingston, John Broome, Henry Rutgers, Sam'l Osgood, Peter Elting.

45. *Argus*, July 20, 1795. This paper said "unanimously" approved, as did Alex. Anderson in his diary after attending the meeting (Pasko, *Old New York*, II, 103). However, a correspondent of *Herald*, July 25, 1795, said "hundreds" around him in the crowd did not vote for the resolutions.

46. *Argus*, July 25, 1795.

47. *Ibid.*, July 27, 1795; cf. July 23, extracts from *Minerva*. Resolutions signed by Comfort Sands, pres., and Wm. Laight, sec.

48. N.Y. papers carried reports, resolutions of these meetings, along with polemical pieces, toasts, squibs, jibes mostly against treaty; for days the printers had room for little else. Judging from this publicity, size of meetings, and antics of volunteer demonstrators, this midsummer madness must have been general. For particulars see Monaghan's *Jay*, 390 ff. An apt listing of antagonists by Jay, who should have known (to Jas. Duane, Sept. 16, 1795), ended with "the numerous Herd of those who blindly follow their Leaders; who judge without understanding, who believe without Evidence, and who are to their Demagogues, what some other animals are to their Riders" (Huntington). ALS, Beckley to Madison, Sept. 10, 1795, described how "A select few" were marshaling the people who were ready to agree the President by signing the treaty proved himself "the head of a British faction" (Madison Papers, *ibid.*).

49. Jay (and H's brother-in-law Stephen Van Rensselaer as lt. gov.) took oath of office July 1 "without much ceremony . . . no firing of guns, nor ringing of bells." The newspaper reporting this quiet investment contained a satirical bit pretending to be agreement of N.Y. merchants with Jay: "We . . . submit in all things . . . to the honor, magnanimity, and power of George the Third, our cidevant King, and . . . follow the . . . humiliating example you have set us, in depending on his goodness. . . ." Also, notice was given of a lengthy Phila. petition against the treaty (*Argus*, July 2, 1795).

50. *Argus*, July 22, 1795; second number appeared 25th, and they continued at similar short intervals; first number appeared in *Herald* July 25, taken from *Argus*. Jeremiah Wadsworth early alerted H to defend the Jay treaty in the press. Franklin Bache, the anti-Federalist editor, had passed through Hartford headed eastward, alarming against the treaty. As yet its enemies only wrote among themselves, and Ellsworth thought it would be time to answer when they began in the newspapers. Wadsworth reminded that the Connecticut *Courant* had a circulation of 5,000 a week in New England and New York, and he would procure publication there of whatever H sent him (ALS, probably early 1795 [21 HLC 2886]). H was influenced by knowing comments on treaty which he elicited from Thos. Fitzsimmons, Phila. merchant; it was little approved in public opinion; 12th article was so evidently wrong as to furnish a handle for rendering the whole unpopular. Disadvantage would be serious if American vessels were prevented from taking cotton from coast of India to China. Compensation for spoliations should have been separated from treaty. While war continues Americans will value any intercourse, by treaty, with West Indies (ALS, July 14, 1795 [24 HLC 3392-3]). The *Camillus* manuscripts in H papers in Library of Congress are in 1st ser., Vol. 25, p. 3511-Vol. 27, p.

3714. The first 22 numbers (115 pp.) are in H's hand, except that 4 pp. (Vol. 26, pp. 3587-90) are in Rufus King's hand, addressed to H in N.Y. and apparently used by H in writing No. 17. Nos. 23 to 30 inclusive are in King's hand (Vol. 26, pp. 3627-3702). Throughout King's numbers, but less toward the end, are amendments in H's hand, generally only a few sentences, but showing his close application to the project. H's hand begins again with No. 31, continues through No. 32 (Vol. 27, pp. 3703-14). Nos. 33-38 are not here; but "Philo-Camillus" is, two numbers, in H's hand, ending p. 3723. Several sheets are endorsed by H with request that Mr. Moreton or Mr. Sands, Jr., will copy as promptly as possible. Once in his haste (p. 3715) he wrote Moreton's name for his own. On a sheet mostly blank, but with some of *Camillus* No. 3, H wrote "Notes on the Treaty . . . For the President." H's revisions in his text are medium heavy. JCH (6 HR 273) accords with above, except for saying Nos. 34 and 35, as well as 23-30, are "from another pen" (unmistakably King's). Nothing is said of a third hand, though some accounts include Jay as a collaborator in series. H's notes of points made by Decius, Cato, Carola against Jay treaty show most crossed out as having been answered in *Camillus* (27 HLC 3724-5).

51. Jefferson, praising H's ability in defense of the treaty, thought meanly of his motives: "A bolder party-stroke was never struck. . . . it . . . is an attempt of a party, who find they have lost their majority in one branch of the Legislature, to make a law by the aid of the other branch and of the executive, under color of a treaty, which shall" prevent "ever restraining the commerce of their patron-nation." He feared "*Camillus*" was winning his object (6 *Writings* [Monticello] 310-11).

52. Sept. 21, 1795, Jefferson, 9 *Writings* (Monticello) 309-11. He would forward to Madison a batch of pamphlets, presumably against the treaty, which he had received from Beckley for distribution. Meanwhile he posted off a part of Curtius, which he attributed to Hamilton as an extra effort for the treaty. He had tried copies on men of understanding, but "they were not able to parry the sophistry. . . ." Actually, the author was Noah Webster ("Vindication of the Treaty . . . by Curtius," Phila., M. Carey, Nov. 2, 1795; 12 numbers begin p. 58 of pamphlet containing text of treaty, various appendices). Jefferson's mistake was not unnatural, for Curtius was most like "*Camillus*" in matter and manner. Jefferson mistakenly supposed that Beckley, or possibly Tench Coxe, was the author of "Features of Mr. Jay's Treaty" (Phila., M. Carey, 1795, 51 pp.). Doubtless Coxe was suggested by the appendix, "A View of the Commerce of the United States" as it would be affected by the treaty. The author was Alexander J. Dallas, but as Jefferson said, the antidote was not strong enough for the poison of the treaty advocates (for a thrust of Dallas at *Camillus*, p. 37). Jefferson's refusal to refute H was in contrast to his professions at this time of warmth for France and abomination of the treaty. Three weeks after the above to Madison, he assured a French correspondent of his enthusiasm for "all the successes of your republic" (to M. Odit, Oct. 14, 1795, *Writings*, *ibid.*, 312). And to Edward Rutledge, "I join with you in thinking the treaty an ex-

ecrable thing." He hoped the House, whose constitutional authority he espoused, would "rid us of this infamous act" (to E. Rutledge, Nov. 30, 1795, *ibid.*, 314; cf. to W. B. Giles, Dec. 31, 1795, *ibid.*, 315). Jefferson called Jay "a rogue of a pilot" who had run the ship of state "into an enemy's port" (to Mann Page, Aug. 30, 1795, *ibid.*, 307).

Others of the polemical pieces may be mentioned here. "An Emetic for Aristocrats" (Boston, July 1795, 23 pp.) was trashy diatribe, assailed H as chief of the Federalist misleaders. "Atticus" (2 *Am. Remembrancer* 210) was typical of the lurid journalism of the day. "Juricola" (*ibid.*, 14) was against the treaty but respected the ability of "Camillus." "Decius" (*ibid.*, 118) correctly said that at first even merchants and mechanics opposed the treaty. "Cinna" (3 *ibid.*, 75) identified H as "Camillus," cited case of *Rutgers vs. Waddington* and charged H argued against himself. 1 *Remembrancer* 5 ff. contained speech of Chas. Pinckney, later governor of S.C. at Charleston, July 22, 1795, impugning Jay's fitness as envoy, and "Cato" (R.R. Livingston), 115 ff., maintaining that attacks on treaty did not issue from party animus. Seemingly Jefferson did not know of Cato as a competent anti-treaty piece. "Franklin," "Letters on . . . Conduct of the Executive, and the Treaty. . . ." (Phila., E. Oswald, June 18, 1795, 56 pp.), felt in no wise hampered in deprecations because he wrote before text of treaty was available. Wm. Loughton Smith, "A Candid Examination of . . . Objections to the Treaty. . . ." (Charleston, reprinted N.Y., Rivington, 1795, 43 pp.) while lukewarm, opposed the sweeping condemnation by Charleston committee. "A Little Plain English . . . on the Treaty. . . ." By Peter Porcupine (Wm. Cobbett; Phila., Bradford, 1795, 111 pp.) was the liveliest, if not most methodical, protreaty performance; Cobbett described N.Y. meeting where H was "stoned."

53. "Examination of the Treaty. . . ." [N.Y.] Re-published from the *Argus* by Thos. Greenleaf, 1795. Pp. 96. The 14 numbers of "Cato" appeared first in Greenleaf's *Argus* or *New Daily Advertiser*, July 15–Sept. 30, 1795. Livingston wrote Monroe that he has replied to "Camillus" "over my old signature—Cato" (Ford, *Bibliotheca Hamiltoniana*, 59).

54. 6 LHW 80 ff., particularly 88; this respected Art. XVII of treaty.

55. 6 LHW 99, 102–04.

56. *Annals* 3d Cong., 1–2 Sess., 853–67.

57. 8 LHW 156. Ms. shows heavy revision, especially in first part; last p. (as Pickering noted) is in hand of Jay with some alterations by H (25 HLC 3495–9). A Republican critic thought message too flattering a report of our affairs. ". . . continued depredations . . . by G^t B on our commerce . . . throws a gloom over our prospects, which added to the national degradation exhibited by Mr Jay's Treaty presents deformities in our political situation . . . which the Pres^t does not appear to have seen. . . . The Treaty . . . is but slightly touched," but general voice of the people, even to northward,

was against this compact (ALS, H. Tazewell, Phila. to Monroe, Dec. 26, 1795, Monroe Papers, NYPL).

58. ALS to Wolcott, 7 Wolcott Papers, CHS; no place or date, but would be N.Y. about March 4, 1796, as Livingston's motion was made March 2.

59. March 7, 1796 (10 LHW 145-47).

60. To Wm. Smith, March 10, 1796, *ibid.*, 147-8.

61. To King, March 16, 1796, *ibid.*, 149-51.

62. To Washington, 10 LHW 151. Washington's letter to H of March 22, here acknowledged, is not found.

63. *Ibid.*, 152.

64. March 28, 1796, *ibid.*, 152-55.

65. *Ibid.*, 155.

66. 7 JCHW 556-570.

67. For Washington's reply to House, *Annals* 4th Cong., 1 Sess., 400-762. Washington (March 31, 1796 [35 W 6-8]) cordially thanked H for his pains, said he reserved H's "reasonings" for his rejoinder if House made a fresh demand. That Washington felt buttressed by H's opinion may be inferred from his explanation to Carroll of Carrollton, May 1, 1796, *ibid.*, 30. 28 HLC 3839-50 is a fair copy, partly in hand of H, partly of a clerk, when H received it back "to correct, prune," etc. (H to King, April 2, 1796). Endorsement shows H did not want his authorship known in case use was made of the paper. It is dated March 20, but was under revision until 29th. H gave reasons why, during negotiation of a treaty, tentative terms of it were not divulged. Monroe, our minister in Paris, should have accepted this inhibition in our representatives in London, especially since he wanted the information to pass it immediately to the French. Doubtless hostility of Democrats to Jay's treaty was not lessened by complaint of Monroe that Jay, even when negotiations were completed, gave him nothing substantive. Jay merely assured Monroe: "It contains a declaration, that it shall not be construed nor operate contrary to our existing treaties. As therefore our engagements with other nations remain unaffected by it, there is reason to hope that our preserving peace and a good understanding with this country, will not give uneasiness to any other" (London, Nov. 25, 1794, copy in Monroe's hand, Monroe Papers, NYPL). Nov. 28 Jay promised soon to send in Pinckney's cipher "the principal heads of the treaty confidentially." Feb. 5, 1795, Jay preferred, after all, to have his secretary, Col. Trumbull, give Monroe the information orally and confidentially, "as the treaty is not yet ratified, and may not be finally concluded in its present form. . . ." (*ibid.*). Monroe took umbrage at being expected to quiet French apprehensions while he could not be in any wise specific. (See copy, unsigned,

Monroe, Paris, to Madison, March 17, 1795, Madison Papers, NYPL; cf. copy, to Edmund Randolph, Dec. 18, 1794, suspecting Jay of "an act of perfidy . . . to part the two countries [U.S. and France] and draw us into the bosom of our mortal foe.") The call of the Committee of Public Safety of the Convention (Dec. 26, 1794) on Monroe for explanation of the treaty, unfriendly to France, is in Monroe Papers, *ibid.* Of course Monroe, having opposed Jay's appointment for the mission to England, was the readier to object to his conduct in executing it.

68. To Washington, April 2, 1796, 10 LHW 155-6.

69. ALS to Washington, April 8, 1796 (28 HLC 3867).

70. April 15, 1796 (10 LHW 157-60); letter of Ames which reached H day before not now found. For H's effort to overcome opposition in Virginia, see John Marshall to him, Richmond, April 25, 1796 (6 JCHW 108-9). H's appeal to the people was in accord with an observation of Wolcott when the last numbers of *Camillus* were appearing. "It is now ascertained that the *vox populi* must determine on peace or war. . . . The leaders of the house will defeat the Treaty *if they can*; their adherents in party, will follow *if they dare*. *public opinion* must therefore produce what ought to have proceeded from the convictions of duty & patriotism" (ALS, to N. Webster, April 20, 1796, Webster Papers, NYPL). Cf. ALS, Beckley to Monroe shortly before: "A meeting of the republicans [in House] will be had this evening . . . ; there appears a disposition to make a firm stand, and . . . should the treaty take effect *at all*, it will be by a very small majority" (April 2, 1796, Monroe Papers NYPL). H exerted himself to make impressive the N.Y. City petition for the House to appropriate for the treaty. It went off by express April 24 with more than 3,200 signers, which almost equaled the largest poll ever had in the city in the most controverted election (ALS, H to King, same day, 28 HLC 3887). As soon as Ph. Schuyler received this, he called meeting in Albany and distributed 500 similar petitions upstate remonstrating against disposition of majority in House "not to make the requisite provision, for carrying into effect the Treaty lately . . . ratified. . . ." (April 23, 1798, and ALS, Schuyler to H, April 25, saying many anti-Federalists signed; Morristown Hist. Mus.). Washington wrote Thos. Pinckney, just retiring from London, that discussion of Jay treaty in House had agitated "the public mind in a higher degree than it has been at any period since the Revolution. And nothing . . . but the torrent of Petitions and Remonstrances . . . requiring the necessary provisions . . . would have produced a decision . . . in favor of the appropriation." He enclosed Ames' speech, judged to be "unanswerable" (ALS, dup., May 22, 1796, Morgan Library).

71. Jefferson thought the treaty "an execrable thing"; the House should disapprove it "and thus rid us of this infamous act, which is really nothing more than a treaty of alliance between England and the Anglomen of this country, against the . . . people of the United States" (to Edward Rutledge,

Nov. 30, 1795 [9 *Writings* (Monticello) 314]). He adopted Randolph's "true theory of our Constitution; that when a treaty is made, involving matters confided by the Constitution to the three branches of the Legislature conjointly, the Representatives are as free as the President and Senate were, to consider whether the national interest requires or forbids their giving the forms and force of law to the articles over which they have a power" (to W. B. Giles, Dec. 31, 1795, *ibid.*, 315; cf. to Monroe, March 21, 1796, *ibid.*, 329, and, more extremely, to Madison, March 27, 1796, *ibid.*, 330). Confusion in his mind, where wish was father to thought, is readily seen in comparison with H's demonstration of necessary paramouncy of treaty to unilateral legislative power.

72. *Annals*, 4th Cong., 1st. Sess., 1239-63. Ames' progress from his home at Dedham, Mass., to Philadelphia in dead of winter, in his ill state of health, was in itself an act of patriotism. Congress convened Dec. 7, 1795, and already on 10th Ames was warning a colleague there that mischief would be done when "one branch [should] directly attack the other two," but he hoped moderation would prevail (1 *Works*, ed. Seth Ames, 179-80). Three weeks later he was less optimistic, counted a majority of seven antis in House, thought to take sleigh for the capital (*ibid.*, 180-81). He read two of H's Camillus pieces on constitutionality of the treaty, and regretted "so much answer to so little weight of objection." Jove's eagle hurled his bolts "not at the Titans, but at sparrows and mice. I despise those objections in which blockheads only are sincere" (183). Soon, when right of House to refuse sanction of treaty was lengthily urged, Ames doubtless saw more reason for H's full refutation. By Feb. 3, 1796, he had got by sleigh and coaches nearly to New York, and had plucked up hope of delivering a blow in Congress. ("Tomorrow expect to hear . . . the lighthouse blow their trumpets. . . . If Governor Jay will not do that for me, let him get his treaty defended by Camillus and such understrappers" *ibid.*, 185.) Ames reached Philadelphia after 16 days on road, sometimes nearly fainting. He chafed; when he wanted full use of his faculties, he must be "silent, neutral, useless. . . ." He wished he could help "navigate the federal ship through this strait, and get out again into the open sea" when the government would "have a lease for years." By mid-March he thought "we shall beat our opponents in the end, but the conflict will light up a fierce war" (*ibid.*, 187-8). April 2 he reported President's refusal to furnish papers had stunned opposition, but effort would be made to withhold money to carry treaty into effect. A small majority for this obstructionism might be dissuaded. Ames lamented, "I am unfit for debate" (*ibid.*, 191). Day after his saving speech, delivered against orders of doctors and his wife, he was "not the worse for having preached" (*ibid.*, 193). His country was the better.

73. *Annals*, 4th Cong., 1st Sess., 1291.

74. *The Federalist* was mentioned (582); H's report on the mint was quoted (605-6); the court decision for supremacy of the peace treaty which he secured in *Rutgers vs. Waddington* was cited (665).

75. As added item in H's aid of Jay treaty, he was consulted on personnel and problems of St. Croix River boundary. He conferred with Jay, urged that any property interest that would disqualify a commissioner "must be known[,] not suspected." Further, "Tis so much more important that the dispute should be settled than how it is settled . . . that we should . . . rather facilitate than impede" (Pickering to H, July 16 [36 Pickering Papers, MHS]; H to Pickering, July 21, 1796 [20 *ibid.*]; cf. Pickering to H, March 22, 1796, on a commission for settling debts, 28 HLC 3857).

Chapter 19 (Pages 351 to 375)

Legacy on Leaving Treasury

1. Jefferson, 1 *Writings* 289–90 (*Anas*, Feb. 29, 1792). Later (Aug. 6, 1793), when Jefferson again wished to resign, he suggested that Gov. Johnson, of Md., be appointed temporarily to his post with the express understanding that soon he would be shifted to the Treasury. The President objected "that men never chose to descend; that being once in a higher Department, he would not like to go into a lower one" (*ibid.*, 389). However, Jefferson himself, at numerous points in the *Anas*, betrayed his resentment that H's influence not only overflowed to the War Department, but, through unworthy means, controlled Congress (*ibid.*, 290, 318–19).

2. *Ibid.*, 317.

3. *Congressional Government* (Meridian Books ed., 1956), 173.

4. Randolph, when Sec. of State, often requested H's revision of statements and dispatches. E.g., Randolph's protest to Genêt against commissioning a private ship to cruise against the enemies of France, which H interlined to make sharper. Randolph said Genêt's conduct "deserves an inquiry on our part." H changed this to "demands an explicit declaration on our part that it is deemed inadmissible and the expression of an expectation that if any such intention have been entertained it will be renounced. . . . A reliance is entertained that no embarrassment will in this instance be occasioned to the Government." And so further (Feb. 5, 1795 [4] 22 HLC 2995).

5. To Hamilton, Aug. 27, 1790 (4 JCHW 35).

6. Jefferson's opinion is in *ibid.*, 35–7, H's (Sept. 15, 1790), 48–69. Occupied as he was, H carefully examined and summarized the dicta of writers on international law. He took into account (which Jefferson did not) that our military post on the Wabash, in the path of a British force invading Spanish territory, gave immediate practical consequences to diplomatic policy.

7. He knew he was being "a little officious" in attempting to direct through McHenry that our consul at Hamburg, who had offended the French Directory, be superseded; our firmness with France must be reserved "for great and necessary occasions" (June 1, 1796 [6 JCHW 127-8]). These and other, almost daily, recommendations to Cabinet friends and not a few to the President might suggest that H felt Washington's grip was relaxing in critical times. The spiteful Beckley was sure that Monroe's recall evidenced "a determination to render the last moments of the old Automaton public life subservient to [Hamilton's] personal views" (to Monroe, Oct. 17 1796, Monroe Papers, NYPL). The most that can be said with truth is that Washington never sought H's counsel with more eagerness than at this period.

As example of H's assistance ("meddling," his enemies would call it) as minister without portfolio, in rapid succession he proposed to Wolcott means of avoiding intention of Congress to evade sinking fund, begged Washington to veto bill that would "prostrate [public credit] at a single blow," warned of false rumors concerning Treasury remittances to Holland, proposed McHenry to replace Monroe at Paris, urged source of revenue to complete three frigates and importance of prohibiting French prizes being sold in our ports (May 30, June 1, 9, 15, 16, 26, 1796, in 1 Gibbs 343, 359-60, 363, and 6 JCHW 128-9; 7 Wolcott Papers, CHS; cf. Wolcott to H, Oct. 17, Nov. 6, 1796, 21 *ibid.*). H did more than recommend correctives to others; see six letters to Wolcott, July 7-Aug. 5, 1796, showing trouble to which he went to secure for Treasury from Bank of N.Y. extension of loan of \$200,000 and new loan of \$124,000; Dec. 6, 21, 23, 1796, he strove to protect both bank and Treasury from any ill consequences (7 *ibid.*). On strained private credit at this period, see Troup to W. S. Smith, Oct. 27 [17] 96, Huntington; N. Webster to Hudson & Goodwin, Dec. 22, 1796, Webster Papers, NYPL.

8. *Review of Revenue System*, 51-2. Elsewhere in same year (1794) Findley spoke of H's "superior talents, dangerous principles, and malevolent temper," but "who assumed or had ascribed to him by his friends, the honour of guiding the helm of state, both in its legislative and executive measures!" (*Hist. of Insurrection*, 276, 279).

9. *Albany Centinel*, in Coleman, *Collection of Facts and Documents relative to Death of Hamilton*, 190.

10. Coleman, *op. cit.*, 267. H's policies prevailed not least because "The French revolution, which our fondness mistook for the birth of virtuous freedom, stood before him, from the beginning, in that hideous form which it has since unmasked."

11. Am. State Papers, 1 Finance 11-12, 319.

12. *Ibid.*, 34 (estimate of Nourse, register, Jan. 5, 1790, for that year; rent of \$500 and contingent expenses for wood, stationery, etc., were \$2,000). Cf. *The New-York Directory and Register* (Hodge, Allen, and Campbell) for 1790, in which numbers in different offices vary slightly from above.

Andrew G. Fraunces, who later was to give H much trouble, is listed among the five clerks in H's own office. H lived at this time at 58 Wall St. (46, 118 ff.).

13. *Ibid.*, 82. H in his estimate allowed for the equivalent of four additional clerks (85). Two of five clerks in Treasurer's office were employed "to count and examine the old and new emissions of continental money and indents." Total of salaries of Treasury Dept. was \$43,000; in State Dept., \$6,250; in War Dept. \$6,500. *New-York Directory Register* (Wm. Duncan) for 1791 gives only main officers of Treasury, as the dept. had moved to Philadelphia.

14. *The Philadelphia Directory* (Clement Biddle), 1791, pp. 52, 253 ff. Among clerks in office of the Register (Jos. Nourse) was ——— Reynolds.

15. See *ibid.*, 175 ff., for "Mode of transacting business at the Custom-House . . . for the port of Philadelphia."

16. Am. State Papers, 1 Misc. 57-8, 60-62.

17. *Ibid.*, 63-8.

18. *Philadelphia Directory and Register* (Jas. Hardie), 1793, pp. 58, 166-7.

19. *Ibid.* The auditor was at 61 Chestnut, the office for transfer of public stock was at 43 South Third, and that for receiving claims of invalid pensioners was at 61 South Third. For convenience of those with errands at the Treasury the names of 29 clerks in the register's office who were "on" certain kinds of books were given, e.g., "On the books and records of the revenue arising from the impost tonnage and duties on spirits, Joshua Dawson," etc. Most (7) were on books of the domestic and assumed debts. Hamilton in this year had moved his home in town to 318 South Second Street, and his home during the sickness was noted as Greenhill.

20. See *Philadelphia Directory*, *op. cit.*, 1794, and *United States Register*.

21. Draft AL, May 27, 1794 (22 HLC 3090).

22. ALS, Jay, London, July 18, 1794, to H, 23 HLC 3131. He was indebted to the Churches for attentions, and showed, as all did, special appreciation of Angelica, so loyal to friends in America and "certainly . . . an amiable woman." Cf. same to same, Aug. 16, *ibid.*, 3178.

23. Hammond to Grenville, Feb. 22, 1794, British State Papers, NYPL.

24. Same to same, Jan. 5, 1795, *ibid.* Phineas Bond, the British consul-gen., wrote at this time to a friend in England, "I undertake to pronounce [Phila.] the dearest place in the universe" (to Geo. Aust, July 29, 1795, *ibid.*)

25. Draft AL, Dec. 1, 1794, 24 HLC 3283, he first wrote, as time of quitting, "first of February" but properly changed it to the last day of Jan.;

on back is a scribbled note to himself that maybe bespoke his prospect of higher income from law practice: "Remember to order chariot & chair. . . ."

26. *Ibid.*, 3236, and *Annals* 3d Cong., 1-2 Sess., 1793-5, p. 954.

27. Am. State Papers, 1 Finance 320-38; for President's speech, *Annals* 3d Cong., 2d Sess. (Nov. 19, 1794), 791. H's letter to speaker of House saying his final report on public credit was ready for submission referred pointedly to act establishing the Treasury "which expressly makes it the duty of the Secretary . . . to digest and prepare plans for the *improvement and management* of the Revenue [H's underscoring] and for the support of public Credit." He outlined what the report contained (AL, Jan. 10, 1795 [29 Wolcott Papers, CHS]; same in clerk's hand to pres. of Senate).

28. *Annals* 3d Cong. 1-2 Sess., 1012.

29. Am. State Papers, 1 Finance 317-19.

30. *Annals*, *ibid.*, 1010 ff.

31. *Ibid.*, 1106-7; cf. Sedgwick, also of Mass., in a similar ironical description of those favoring funding, 911-12.

32. *Ibid.*, 812, 813, 1104, 1118.

33. To C. Gore, Jan. 17, 1795 (1 *Works* [Ames, ed.] 163).

34. Jan. 26, 1795 (6 *Writings* [Hunt ed.] 232).

35. Hillhouse of Conn., in later debate entered objections to H's proposal, but "had always been in favor of referring to the Secretary of the Treasury, whose official duty it was to be informed, for . . . plans on the subject of finance, and . . . the fund of useful information contained in this report was a striking proof of the correctness of that opinion. . . ." (*Annals*, 3d Cong., 1-2 Sess., 1237).

36. Am. State Papers, 1 Finance 320 ff., 329-30.

37. *Ibid.*, 331.

38. After some suggestions for increased tidiness in fiscal housekeeping, *ibid.*, 334-5.

39. Am. State Papers, 1 Finance 334-7. Unless any pretense to the right to tax the public funds was renounced, by law, holders of the foreign debt, who already enjoyed that protection, would not accept the domestic debt in exchange (338).

40. *Ibid.*, 339-46. A few days before leaving office H wrote to the comptroller, "the whole interest on the Debt to foreign Officers from the time interest ceased to be payable to them ought at once to be carried to the Sinking Fund" (AL, Jan. 25, 1795 [29 Wolcott Papers, CHS]; cf. *ibid.* to Sec. of State). Here is clearest statement that sinking fund would not ac-

cumulate except by appropriation. Sam'l Bayard had H's final report on public credit republished in London for its good effect on American securities there (July 13, 1795, to Wm. Bradford, in 2 Boudinot's *Boudinot* 103).

41. Am. State Papers, 1 Finance 348-50.

42. *Annals*, 3d Cong., 1-2 Sess., 1242 ff., 1519-26 (approved March 3, 1795). The Democrats "have trained their men to bawl for a reduction of the debt; and, now it is . . . urged, they are gravelled; for still they would oppose" (Ames to G. R. Minot, Jan. 20, 1795 [1 *Works* 164-5]).

43. To Sedgwick (from Bristol) Feb. 18, 1795 (10 LHW 89).

44. To King, from Kingston, Feb. 21, 1795, *ibid.*, 89-91.

45. Feb. 24, 1795 (1 *Works* [S. Ames, ed.] 167).

46. 10 LHW 78, probably to Angelica Church.

47. To Washington, Jan. 26, 1795 (10 LHW 82-3). Cf. copy H to Sharp Delany Jan. 20, and ALS, to same, 24, 1795, requiring particular information on French privateers fitted out at Philadelphia (29 Wolcott, CHS).

48. 6 *Hist. Repub* 186 ff.

49. 10 LHW 84-5.

50. ALS, 24 HLC 3291, printed 10 LHW 85-6; H answered with appropriate gratitude (*ibid.*, 86-7). See also letters from Henry Lee and Jas. McHenry that proved prophetic (6. *Hist. Repub.* 194).

51. *Ibid.*, 85, 87-9.

52. ALS, H. Baylies, Dighton, Mass., Dec. 20, 1794, to David Cobb, Cobb Papers, MHS.

53. ALS, H. Van Schaack, Pittsfield, Mass., Dec. 25, 1794, to Sedgwick, Sedgwick Papers, MHS.

54. Would Wolcott, if H's successor, "be adequate to this tremendous task?" (ALS, Sam'l Henshaw, Northampton, Mass., Dec. 21, 1794, to Sedgwick, *ibid.*) Thos. Willing, president, said for directors of Bank of U.S., "They recollect with extreme satisfaction the liberal . . . Principles, on which you have conducted the great & various operations of your Department with this Institution. . . ." (ALS, Feb. 3, 1795 [24 HLC 3292-3]).

55. See City of N.Y., sample pp. in prospectus of publication of Minutes of Common Council (1917). "Every good man will lament Mr Hamilton relinquishment of the Treasury Department. I fear his fellow will not be found. He has been unrelentingly pursued and haunted by his enemies & the enemies of our peace but their persecutions have only served to render his merits the more conspicuous. . . ." (ALS, Thos. Dwight to Sedgwick, Dec. 13, 1794, Sedgwick Papers, MHS). Carrington hoped that on leaving

Treasury H would become a representative in Congress (to H, Dec. 12, 1794 [23 HLC 3230-32]).

56. ALS, Feb. 10, 1795, Monroe Papers NYPL.; but bankers in London sent handsome compliments on "the wisdom of your financial measures" (ALS, Bird, Savage & Bird, Feb. 23, 1795 [24 HLC 3304]). When it was reported to Schuyler that a critic charged Hamilton intended to retire because affairs of his department were in inextricable confusion, Schuyler declared "in his presence that the propagator of such a calumny was a liar and a villain" (ALS, Schuyler to H, Jan. 5, 1794 [3 HLC, 2d ser., 262-3]; nor did Schuyler want any truck with Chancellor Livingston, said to be proposing coalition with N.Y. Federalists).

57. ALS, Peter Van Schaack, Kinderhook, Dec. 23, 1794, to Sedgwick Sedgwick Papers, MHS.; see *N.Y. Daily Adv.*, Jan. 28, 1795, "A Free Elector," nominating H for governor.

58. Morristown Hist. Mus.; for Schuyler's support of Jay, ALSs, to Pete Smith, Feb. 23, May 12, 1795, *ibid.*

59. Nathaniel Niles, Phila., Dec. 2, 1794, to Melancton Smith, misc. Niles, NYHS.

60. ALS, Dec. 11, 1794 [to E.H.], NYHS. On Oct. 12, 1795, Schuyler and H were setting about securing in N.Y.C. the kind of excellent house Mrs. Church wished (ALS, Schuyler to H, Morristown Hist. Mus.).

61. ALS, April 10, 1795, VII Wolcott Papers, CHS. Wolcott tried a different method, for soon he was asking Monroe at Paris to help in securing cash in France and Germany, in return for bills sent him, proceeds to go to Dutch bankers for interest soon due. The war had interrupted communication of the Treasury with its bankers in Amsterdam (LS, June 23, 1795; Monroe Papers, NYPL).

62. Sept. 26, 1795 (25 HLC 3438-9, 6 JCHW 39-40).

63. Oct. 3, 1795, *ibid.*, 40.

64. ALS, Aug. 10, 1795 (7 Wolcott Papers, CHS), printed with slight variations in 1 Gibbs 223-4; cf. same to same, Oct. 13, 1795, *ibid.*, on same subject, a studied legal opinion such as would have brought a good fee from a private client.

65. See particularly ALS, July 13, 14, 1795 (24 HLC 3388-91), the latter with Washington's seal in red wax.

66. To H, July 14, above. Same day Randolph, sending treaty, as published, to Monroe at Paris, seems already to have corrected his opinion to H's. "The treaty is not yet ratified by the President," he warned, "nor will it be ratified, I believe, until it returns from England; if then." Obviously he thought more than Art. XII might hinder, for he explained to Monroe

privately, "The late British order for seizing provisions is a weighty obstacle to a ratification. I do not suppose, that such an attempt to starve France will be countenanced" (ALS, Monroe Papers, NYPL). H's letter to Washington, July 13, saying treaty should be resubmitted for approval of the new article is not found.

67. July 21, 1795 (6 JCHW 22).

68. ALS, to Wolcott, July 28, 1795, Wolcott Papers, CHS. Cf. Noah Webster to Wolcott two days later, July 30: not knowing whether the executive had ratified the treaty, the suspense was "a source of much uneasiness. Your friends here, Mr Hamilton, Mr King, &c., are to a degree alarmed at the general ferment . . . raised. . . especially as the opposition connects with it an inveterate hatred of our administration, perhaps of our govt." The Northern states would approve ratification, but even there the Democratic clubs must be extirpated, "or we must ultimately be governed by irregular town-meetings." The danger was more real in the pro-French Southern states, which might ultimately break off from the Union (ALS, N. Webster Papers, NYPL).

69. Wolcott to H, July 30, 1795 (6 JCHW 27-8). Randolph was secretive, but Wolcott added "I see a *clue* which . . . will conduct us through every labyrinth. . . ." This referred probably to the impending exposure of Randolph for having invited a bribe, supposedly, from the French minister, that would compel his resignation. For Randolph's denial of Wolcott's imputation that he was unfriendly to treaty, see to Jay, Aug. 16, 1795, *ibid.*, 32-3.

70. ALS, Washington, Mt. Vernon, July 29, 30, 1795, "Private" to H, 25 HLC 3403-4, 3406, and 6 JCHW 25-6, 28; these letters did not reach H till Aug. 6 at least (Randolph to Jay, *ibid.*, 32). Cf. N. Webster to Wolcott, July 30, 1795 (NYPL), for balancing of reasons for ratification or rejection; he was such a well disposed man as President may have had in mind.

71. To Wolcott, Aug. 10, 1795 (6 JCHW 29-30); H kept two copies in his files, 25 HLC 3408 ff.

72. Randolph to H, Aug. 16, 1795, with enclosure, 6 JCHW 31-3.

73. ALS, "Private," Aug. 31, 1795 (25 HLC 3422-3 and 6 JCHW 33-4). Or Washington might require a quick job of revision, where tact was demanded; the messenger might wait for the draft, no matter how rough; see to H a year later, Sept. 2, 1796, JCHW *ibid.*, 35.

74. ALS, Sept. 4, 1795, *ibid.*, 3432-5; this is the letter as sent, for cover is addressed; few revisions, for, as Washington said, H was familiar with every feature of the treaty; printed 6 JCHW 35-8.

75. Oct. 29, 1795 (25 HLC 3452-8 and 6 JCHW 52-7). This long letter, ten pp. in Washington's hand, was truly "private and confidential," a

disclosure of all that bothered or gratified him, ending, "Aid me, I pray you, with your sentiments. . . ." Cf. ALS, Pickering to H, Nov. 17, 1795, on quandary about Cabinet posts (25 HLC 3484-6, but in 6 JCHW 67 with list of eligibles for Sec. of War, among them H's friend Troup).

76. Nov. 5, 1795, *ibid.*, 61-3. Shortly after, when Pickering left War Dept. to become Sec. of State, H thought it "absolutely necessary" his successor come from a state below Pa., as all great offices were in hands of men from Pa. northward. His preference on whole was for Pendleton of Ga., military man, aide to and esteemed by Greene, of "handsome abilities." "He is tinctured with Jeffersonian Politics but I should be mistaken, if among good men & better informed, he did not go right" (ALS to Pickering, Nov. 20, 1795, 20 Pickering Papers 102, MHS).

77. Oct. 29, 10, 16, 1795, *ibid.*, 56, 63, 64-5.

78. Nov. 28, 1795, *ibid.*, 73-4.

79. To H, Nov. 23, 1795 (6 JCHW 72); original ALS, like others of Washington concerning young Lafayette, in 25 HLC.

80. To Washington, Oct. 16, 1795, *ibid.*, 47-8.

81. To Washington, Nov. 19, 1795, *ibid.*, 70-71.

82. To Washington, Dec. 24, 1795, *ibid.*, 79.

83. Jan. 19, 1796, *ibid.*, 85-6; see Henry S. Siebeneck, "Justus Erich Bollman," in 22 *Western Pa. Hist. Mag.*, 101-16.

84. 6 JCHW 102.

85. Washington to Hamilton, May 8, 1796, *ibid.*, 118-9.

Chapter 20 (Pages 376 to 398)

Reentry into Law, and Farewell for Washington

1. How long H remained at Albany after quitting Treasury is uncertain. Announcement to his wife he would set out by water (for NYC) was dated by JCH April 8, 1795 (Schuyler Mansion Docs., 10, NYSL), though he continued to be addressed at Albany till later (24 HLC 3326 ff.)

2. ALS to H, March 31, 1795 (24 HLC 3315).

3. Brockholst Livingston, for defendant in a suit in which H was plaintiff, 1799, was quoted as saying it might be supposed "that since Mr. Hamilton's return to a lucrative profession, in which his talents had always commanded

the first share of business, time enough had elapsed to repair a fortune, which Mr. L. was sure had been greatly injured, if not entirely ruined by that gentleman's attention to public business" (Greenleaf's *N.Y. Jnl. and Patriotic Register*, Dec. 11, 1799).

4. ALS, N.Y., July 25, 1795, to Robert Troup (24 HLC 3400-1; last direction with transposition of words in 10 LHW 107-11). Some particulars of his "few operations" for Church at this time, are in ALS FitzSimmons, July 14. ALsS, Rob't Morris to H, July 18, 20, 1795, 24 HLC 3392-3, 3395-6.

5. From Geo. Pollock, hearing H would soon resume the law, "I have to entreat the favour of you to be of my Counsel in a Cause of great Importance" (LS, N.Y., Jan. 15, 1795 [3 HLC 2d ser. 293]); a similar request of Timothy Hunt, Dec. 8, 1794, H endorsed "Deferred till I go to town."

6. ALS, Feb. 18, 1795, *ibid.* 295; cf. 296. The town of Kingston welcomed him back as "their Council in all Cases, the fee shall be paid to your order" (ALS, Tjerck D. Witt, clerk, March 16, 1795, *ibid.*, folio 93018). Richard Harison prompted H. and S. Johnson & Co. to draw him into their cause; they enclosed a bank note for \$100 as retainer, and H endorsed, "No objection if under no opposite engagement. . . ." (April 9, 1795, *ibid.*, 300). Nath. Ruggles wanted H to engage as his attorney in a case of fraud, or at least not to take a fee against him (ALS, July 12, 1795, *ibid.*, 315). Apparently prior engagement by the opposite party compelled H to decline a request of Gov. Jay, directed by legislature, that he defend sale of a farm by Commrs. of Forfeitures (March 4, 10, 1796 [27 HLC 3831]).

7. H answered that he did not practice in the mayor's court, but would be glad to aid otherwise (Dec., 1795, *ibid.*, 324-5).

8. See AMH 160; a Cooperstown attorney referred to DeHeart as "your late partner in business while I was under your tuition," ALS, Aug. 11, 1796 [4 HLC 2d ser. 354]). LeGuen vs. Gouverneur and Kemble was the principal commercial suit in which H was counsel, considering the sum involved (more than \$120,000), the period over which litigation extended (1796-1800), and prominence of the lawyers (Aaron Burr and Richard Harison with H, and Gouverneur Morris, Brockholst Livingston, Robt. Troup opposed). H and his colleagues at length won for LeGuen in the New York Court of Errors, February 1800 (see Wm. Johnston, 1 Reports of Cases 436-524, and manuscripts, many in H's hand, in HLC). The case concerned sale and export to Europe of 600 bales of cotton and 12,000 pounds of indigo by Gouverneur and Kemble as agents for LeGuen. Features which claimed public attention at the time have long since been forgotten, but the story of a smart verbal exchange between H and G. Morris at the last Albany trial, and commendation to H for refusing more than his moderate fee have survived (see AMH 169 ff.)

9. ALS, June 22, 1799 (4 HLC 2d ser. 448). While H had some time since resumed practice, old army business occasionally demanded attention for months afterward; cf. ALS, Aaron Ogden to H, Dec. 15, 1800 (78 HLC).

10. AMH 184-5 places it at Barclay and Prince sts., Meyer Berger in *N.Y. Times*, Oct. 23, 1957, at 89 Greene St. near Spring.

11. Minutes Oyer and Terminer, April 5, 1796-July 18, 1801, library of Ct. of General Sessions, N.Y. City; the report was by Wm. Coleman, who soon became editor of the *Evening Post* patronized by H. Among numerous medical men testifying, Dr. David Hosack, called by prosecution, was H's own physician, attending him following the duel.

12. See *N.Y. Herald Tribune*, May 4, 1949; Sailors' Snug Harbor, *Copy of Last Will and Testament of Robert Richard Randall* . . . (N.Y., 1876).

13. St. Mark's Church in the Bowery, *Services . . . to Commemorate the One-hundredth Anniversary*. . . . 47 ff., Appendix 186-7; Wm. Berrian, *Historical Sketch of Trinity Church, New-York*, 186 ff.

14. Endorsement on ALS, David Hunter, July 7, 1796 (4 HLC 2d ser. 350).

15. Wolcott to H, Jan. 15, 1796 (6 JCHW 83); 7 *ibid.*, 845, and 8 LHW 378 erroneously date the brief 1795.

16. Box 1, HLC.

17. "Act laying duties upon carriages for conveyance of persons" conveniently found in 5 JCHW 99-103.

18. See to Jefferson, May 11, 1794, 2 *Writings* (Rives) 14; in House, May 1, 1794, he condemned excises as multiplying perjuries; *Annals*. 3d Cong. 1-2 Sess., 622.

19. Cf. vehemence of opposition of John Nicholas in House. *Annals*, *ibid.*, 629, 638.

20. Bradford to H, Aug. 4, 1795 (AMH 175-6).

21. AMH, 187. The government agreed with defendant to make a test case, paid fees of attorneys on both sides (See American State Papers, 1 Misc., 393).

22. 8 LHW 378-83. Madison, on hearsay, reported that H's "great effort . . . was to raise a fog around the subject" (to Jefferson, March 6, 1796, 2 *Writings*, Rives. ed., 87), but for high praise of others see Charles Warren, 1 *Supreme Court in U.S. History*, 149, notes.

23. See 3 Dallas, *Reports*, 171-84, *Hylton*, plaintiff in error, *vs. U.S.*, heard in Sup. Ct., Feb. term, 1796. Justice Wilson shared the view of his brothers,

which he had expressed in the court below, but submitted no formal opinion. Cf. Warren, *op. cit.*, 146-9.

24. Columbia University. For drawing my attention to them I am obliged to Dr. Milton Halsey Thomas, curator of the Columbiana Collection, who has since published an excellent account, "Alexander Hamilton's Unfought Duel of 1795," in 78 *Pa. Mag. Hist., Biog.*, 342-52.

25. Cf. Nathan Schachner, *Alexander Hamilton*, 341 and footnotes. John Beckley, clerk of the House of Representatives, a prime gossip and malicious busybody whose large ears were constantly cocked for scandal that could be turned to Republican party purposes, wrote to Madison two months earlier that Hamilton and King despaired of defeating George Clinton for Governor of New York. He would improve on their discomfort by adding: "In my last, I hinted at a fact respecting Hamilton, which, knowing the security of the present conveyance, I will now fully state. About six or eight weeks ago, whilst Hamilton was in N. York, Commodore Nicholson in conversation with the friend of Hamiltons stated that he had authentic information . . . that Hamilton had vested £100,000 sterling in the British funds, whilst he was Secretary of the Treasury, which sum was still held by a Banking house in London, to his use and Interest. H's friend took fire, declared it a base calumny, and that it should be *immediately* investigated, demanding Nicholson's authority. Nicholson replied that he would be ready at any time & place when called on by Hamilton, to produce his author with the proofs he possessed. No call has however been made from that time to this. Nicholson informed me of these particulars himself, and added that if Hamilton's name is at any time brought up as a candidate for any public office; he will instantly publish the circumstance" (ALS, Beckley, Philad., May 25, 1795, to Madison at Orange, in Madison Papers, N.Y. Pub. Lib.). Beckley, earlier, had borne a more famous implausible tale against Hamilton, and might have been instructed by the abashed retreat which his confreres had been obliged to make after attempting to put his information to use. This was the Clingman-Reynolds fabrication that ultimately had the widest publicity to the particular discredit of Monroe, Venable, and Muhlenberg. Perhaps the first suggestion of Beckley's agency in this celebrated episode is in his letter of Oct. 17, 1792, to Madison (in *ibid.*). Ferreting out corruption in the Treasury, he confided: "I think I have a clew to something far beyond mere suspicion on this ground, which prudence forbids a *present* disclosure of." "Disclosure" was later gleeful and irrelevant (see photostat letters of Beckley, June 22, 27, 1793, in Monroe Papers, N.Y. Pub. Lib.).

26. Isaac Q. Leake, *Memoir of Life and Times of General John Lamb*, 347.

27. *Documentary History of the Constitution of the United States*, V, 249-50.

28. 10 LHW 107-111.

29. This was one of H's few allusions, in writing anyhow, to his father, James Hamilton, whose ill fortunes the son hastily sketched in what he thought would be his last letter. Looking forward to an early resignation from the Treasury, Hamilton wrote to his sister-in-law, Mrs. Church, Dec. 8, 1794: "Having contributed to place [the finances] of the Nation on a good footing, I go to take a little care of my own; which need my care not a little." And again, March 6, 1795, when he had just resumed practice of law: "I tell you without regret what I hope you anticipate, that I am poorer than when I went into office" (AMH 231-2).

30. H's autograph "Abstract of points to form an address" and his principal draft, heavily revised, partly in response to Washington's wishes, are in 28 HLC 3948-50, 3951-62; H's partial draft, incorporating what Madison and Washington had written, is in NYPL where is also Washington's final manuscript delivered to David C. Claypoole for publication, Sept. 19, 1796, in *Am. Daily Adv.* (Phila.); for history of this last see Paltsits, below, 290-92. Victor Hugo Paltsits, ed., *Washington's Farewell Address in facsimile, with transliterations of all the drafts of Washington, Madison, & Hamilton . . .* (N.Y., 1935), pp. 360. See also [Horace Binney] *An Inquiry into the Formation of Washington's Farewell Address* (Phila., 1859), pp. 250. Numbers of the original papers of Washington, Hamilton, Madison, Marshall, and of Mrs. Hamilton, here printed, are in NYPL, Washington Farewell box. See also J. C. Hamilton, 6 *Hist. Republic* 492-534.

31. E.g., John Marshall to Bushrod Washington, July 7, 1825, in Paltsits, *op. cit.*, 283.

32. See letters in Paltsits, ed., 263 ff.; e.g., Peters to Jay, Feb. 14, 1811: "I am always hurt when I hear anything which tends to break . . . the Charm [Washington's] Name once possessed. I would not *lie* to support any Position. But I would not tell mischievous Truths. . . . If I had [the Farewell Address] in his Hand-Writing (Hamilton's) I would burn it." Jay to Peters, March 29, 1811: "Your letter conveyed . . . the . . . only information I have received, that a copy of President Washington's Valedictory Address had been found among the papers of General Hamilton, and in *his* handwriting. . . . This intelligence is unpleasant and unexpected. . . . many with affected regret . . . will infer and hint that Washington had less greatness of talent, and . . . of mind, than . . . admirers ascribed to him." He went on to say, mostly *a priori*, why he held Washington to be the true author. Marshall to Bushrod Washington: "I am unwilling to believe that General Hamilton . . . preserved these papers for the purpose to which his family now wish to apply them. Mr^s Hamilton and his son appear to be more to blame than I had supposed, since they must know that the address was written by General Washington and revised by his friends." Later, to same, he said, "Whatever the letters may disclose I do not think their publication ought to be resisted," but he referred to "this very unpleasant affair which Mr^s Hamilton has so unwisely brought before a court of chancery."

Bushrod Washington, autograph endorsement on packet of papers, "Gen^l Washington's Farewell address. Proof of his being the Author—to be made use of, should the . . . whippers now circulating to the contrary ever assume a publick garb . . . [and] only in case it should be rendered necessary by the Hamiltons" (NYPL, *ibid.*). In 1825 Mrs. H. sued Rufus King to compel him to deliver certain documents, and letters between Washington and H belonging to the Hamilton estate which he had received from Nathaniel Pendleton, one of H's executors, in 1810. See also C. R. King, ed., *6 Life and Correspondence of Rufus King* 612–21. Pendleton's "object in their delivery to me," said King, "was to prevent their falling into the hands of the General's family," for he knew that "Mrs. Hamilton [would] endeavor to shew that General Hamilton, not George Washington, was the author . . . of the farewell address. . . . Judge Pendleton . . . concluded that public opinion, upon this subject should not be disturbed (R. King, London, to C. King, Nov. 26, 1825 [618–19]). In 1826 King restored the papers, and suit was dropped. Troup made a summary of the most important items in the Pendleton-King packet, including Washington's letter to H., May 15, 1796; here Washington explained his motives for "my draft of the valedictory Address," and then directed, "If you form one anew, it will, of course, assume such a shape as you may be disposed to give it, predicated upon the Sentiments contained in the enclosed Paper." Troup's ms. is in NYPL. *Memoirs of Hist. Soc. of Pa.* (1826, republished 1864), 239–67, has report of committee appointed to inquire into disputed authorship of Address; its conclusion, on partial and partisan evidence, that H merely copied Washington's ms. as a favor to the President, is worthless; see Pickering to Coleman discrediting this (Oct. 5, 1826, 38 Pickering Papers 305, MHS) and Paltsits, ed., *op. cit.*, 76 ff. Bushrod Washington, repelling any possible suggestion by the Madison family that Madison was the author of the Address, observed, "the draft . . . in the hand writing of Mr. M. compared with the address itself as published in 1796 . . . will disprove the claim, as they are different . . . in substance & in form" (ms., NYPL).

33. ". . . if you continue in office nothing . . . mischievous is to be apprehended, if you quit, much is to be dreaded. . . . I pray God, that you will . . . make a further sacrifice of your tranquillity . . . to the public good. I trust that it need not continue above a year or two more. . . ." (H to Washington, July 30, 1792 [10 LHW 7–10], cf. H's allusion in "Abstract of Points," 7 JCHW 570).

34. Washington to H., May 15, 1796, Paltsits, *op. cit.*, 242.

35. ALS, June 20, to Madison, Madison Papers, NYPL.

36. ALS, H to Washington, Aug. 10, 1796 (NYPL and Paltsits, *op. cit.*, 251).

37. Pickering some years later, visiting Jay at Bedford, tried in vain to convince him that in this case as in most others Washington availed himself

of assistance in putting a document in form. Pickering considered that during the war not one in a hundred of Washington's letters was written by him (draft AL, to J. A. Hamilton, Jan. 16, 1827 [16 Pickering Papers, MHS]; see same to same, Sept. 5, 1825, *ibid.*).

38. July 30, 1796 (10 LHW 186). For text of H's draft, see 8 LHW 187 ff.; it differs in minor ways from final form as approved by Washington. Wm. Vans Murray, our minister at The Hague, gave a just estimate of the tone and topics of the Address, and observed accurately that Washington's "death will give it a sanctity that nothing but the greatest virtue can bestow. . . ." (ALS, July 14, 1797, to Luzan).

39. Of many instances in which Hamilton opposed involving America in European fortunes, an impressive one was recorded by George Hammond, the British minister at Philadelphia, in 1794. The U.S. was outraged by British spoliations, and Hammond inquired apprehensively what was the attitude of this country toward the League of Neutrality of Sweden and Denmark. "Mr. Hamilton . . . with great seriousness and with every demonstration of sincerity, assured me . . . that in the present conjuncture it was the settled policy of this government in every contingency, even in that of an open contest with Great Britain, to avoid entangling itself with European connexions, which, could only . . . involve this country in disputes . . . and commit it . . . with allies, from whom in the moment of danger it could derive no succour." Evidently, thought Hammond, the subject had engrossed much of Hamilton's attention (Hammond to Lord Grenville, Aug. 3, 1794, British State Papers, Ford trans., NYPL).

40. 8 LHW 208-9.

41. Phila., Sept. 25, 1796, Paltsits, *op. cit.*, 261, and see this study, 55 ff., for full treatment of the public reactions. Geo. Hough, publisher of the *Courier of New Hampshire*, Concord, was found to be earliest to use the title "Farewell Address." Though Claypoole had had time to prepare an appreciative comment on the paper he was permitted to publish to the world, the Address, filling 6½ columns, appeared simply with the salutation "To the People of the United States," and was signed "G. Washington, United States, 17th September, 1796." Several succeeding issues contained no editorial or other estimate of the document. Sept. 21 in Fenno's *Gaz. of U.S.*, W. Young, Mills & Son (Phila.), advertised a pamphlet edition, with no hint of its important contents. "Jasper Dwight" (Wm. Duane), *A Letter to George Washington . . . containing Strictures on his Address* (12th Nov. 1796, 48 pp.) was a hostile answer, point by point, by a settled foe of the administration. "That production," said Duane, "has excited the most opposite emotions: on the one side astonishment and affliction, on the other exaltation and gladness; those of the latter temper uniformly consist of the avowed enemies of equal Liberty, the decided friends of monarchy, the open advocates of privileged . . . classes" and ex-Tories. "When . . . these only . . . extol your address . . . , I need not say who mourn in silence and shame!" (p. 4).

42. N.Y. Aug. 7, 1840 (AMH 110-12). "Shortly after the publication of the address, my husband and myself were walking in Broadway, when an old soldier accosted him, with a request of him to purchase General Washington's Farewell address, which he did and turning to me Said 'That man does not know he has asked me to purchase my own work.'"

43. 1 J. S. Meehan, ms. Diary, entry for Tues., June 23, 1846 (LC). A generation later, pursuing evidence that Rufus King was unwilling to release, H's wife and son sought other confirmation of H's authorship of the Farewell Address. See Wm. North's reply on a letter to him from JAH, May 30, 1824, "In a conversation . . . General Hamilton, it is Twenty five years since, . . . told me that He wrote the farewell address of General Washington[.] I remember nothing more of what was communicated on that occasion, what is now stated, I could not well forget" (Morristown Nat. Mus.).

44. ALS, June 20, 1796, to Madison, Madison Papers, NYPL.

45. ALS, Nov. 26, 1812, to John Binns, Morristown Hist. Mus. He added with commendable candor that if H's supporters, however infatuated, had wished to make their idol "an hereditary executive," they never mentioned such an idea to Adams.

46. Draft in 29 HLC 4034-7; note is signed "A.B.," and does not appear in printed versions in 7 JCHW 594 ff., 6 LHW 206 ff.

47. The printed versions cited above vary in a few terms from each other and from the draft in HLC.

48. Appeared in *Minerva*, Dec. 8, 1796, 4 cols., signed "Americanus."

49. H may have had use of materials constantly collecting by his friend Richard Harison. The latter wrote to a London bookseller, Jan. 5, 1795, "The Curiosity of the public Mind is . . . great with respect to all the transactions of your Gov. and the means of Information . . . scanty." He had been purchasing Clarendon's publication in volumes, but wished it "in numbers by every safe american vessel[.] Should there be any more Publications of acknowledged Merit upon Questions respecting the rights and Conduct of neutral nations[.] the . . . Decisions of your Admiralty Courts, or . . . the Law of Nations, you will favour me with Copies of them . . . in Sheets. . . ." (Harison Letterbook, 1790-1802, NYHS). Hamilton's strictures on condemnation of our vessels in the French West Indies could not exceed those of John Beckley, who lamented that they were used by Federalists to discredit "France & her glorious revolution." What Beckley termed the "Colony administration" was "subversive at once of all treaty, union or connection whatsoever between the U.S. & France, and violative of every principle of national & neutral right, faith, justice and common honesty" (ALS June 1, 1795, to Monroe in Paris, Monroe Papers, NYPL).

50. 6 LHW 228-9.

51. Bower Aly, *The Rhetoric of Alexander Hamilton*; *ibid.*, ed., *Alexander Hamilton, Selections* . . . Chap. X, "Hamilton as a Public Speaker."

52. 6 LHW 209.

Chapter 21 (Pages 399 to 422)

An Affair and Its Awkward Aftermath

1. Cf. 7 LHW 406-7.

2. Schuyler had planned this visit in the spring; he wanted to engage a good master of an Albany sloop to bring Eliza, all her children, and their nurse, so as to escape the hot weather in town. He entreated that she come as soon as possible. He himself was tormented by gouty feet and wrists (ALS, to H, May 15, 1791, Morristown Hist. Mus.). Perhaps for his family's journey to Albany H drew on Troup for \$200, which seems to have been due him for legal work Troup was completing; anyhow, Troup was glad at all times to contribute to H's convenience (ALS, Troup to H at Phila., June 15, 1791 [11 HLC 1513]). The first visit of Mrs. Reynolds to H's home would have been some time after, say, July 10, 1791. For Philip Schuyler at Albany wrote his son Tuesday evening, July 19, "Your sister Hamilton is not arrived but momentarily expected" (38 Schuyler Papers, NYPL. Mrs. H's last previous visit to her parents, so far as appears, was in the latter part of August, 1790, going up from N.Y.; *ibid.*, Aug. 20, 1790).

3. 7 LHW 388. One thinks first of Gilbert Livingston, of Poughkeepsie (1742-1806), but his only wife was Catharine Crannell (1745-1830), the daughter of Bartholomew and Trintje (Van Kleeck) Crannell (Geo. B. Kinkead, compiler, "Gilbert Livingston and some of his Descendants," in 84 *N.Y. Gen. and Biog. Record*, 99 ff.).

4. Clement Biddle's *Philadelphia Directory* for 1791, p. 197, gives "Reynolds, Mrs." at 154 South Fourth St., which is a different address from Jas. Reynolds with a looking-glass store (31 North Third), or another of the same name, ship carpenter (144 south wharves, 139 Swanson St., Southwark). Hamilton is listed at 79 South Third St., There are reasons to believe that H had assignments with Maria at the house of John Inskeep, with designation "innkeeper & stage office," 46 Mulberry St. (*ibid.*, 52); two others are named Inskeep, but one was a well-digger, other a schoolmaster.

5. ALS, July 27, 1791 (2d ser. 2 HLC 201½). Bill for carpeting for new house, £34. 8.0 Sept. 28, Oct. 4, 1791, is in *ibid.*, 210. A specially affectionate letter of H to Eliza, Nov. 19, 1790, contained a couplet and

ended, "Adieu best of wives & best of mothers. Heaven ever bless you & me in you" (Morristown Hist. Mus.)

6. 7 LHW 388-92; Maria to H, Dec. 15, 1791, *ibid.*, 423.

7. Reynolds to H, Dec. 15, 17, 1791, *ibid.*, 423-7.

8. ALS, Dec. 17, Sunday, 1791; Box 1, HLC not addressed; endorsed in Mrs. H's hand, and doubtless she crossed out what may have been a name on the back (Oliver Wolcott?). Though signed, this may be retained copy, or is the original, not sent because Reynolds was mollified. Actually that Sunday was 18th.

9. Reynolds to H. Dec. 19, 1791, *ibid.*, 427-8.

10. Dec. 22, 1791, Jan. 3, 1792, *ibid.*, 428.

11. Maria Reynolds to H, Monday Night, Eight, and Wednesday Morning ten of Clock, *ibid.*, 429-30.

12. *Ibid.*, 393-5, 428-441. H should lend him \$300 to subscribe to shares in the Lancaster turnpike, \$200 to furnish a small boarding house (No. 161 Vine St., second door from Fifth). As the sum was more than he could manage (the \$300), H refused.

13. *Ibid.*, 395-7.

14. The perjurer was John Delabar; the claimant was Ephraim Goodenough; 7 LHW 446, 448.

15. *Ibid.*, 419-20, 442-3.

16. *Ibid.*, 406, 407-8, 416, 420-22 (Clingman's account, and suspect), 445-7. H accepted Muhlenberg's story that Clingman first applied to him (397-8); Mrs. Reynolds (according to Clingman) said H suggested she get Muhlenberg to help her husband.

17. *Ibid.*, 413-4; H was not sure on whose motion Monroe and Venable "came to embark" (398), but Muhlenberg's agency seems clear; his confreres went at once to the jail, Dec. 12, 1792, to hear Reynolds' story; cf. their later statements, *ibid.*, 454-8.

18. *Ibid.*, 413-17.

19. Clingman said Reynolds, on H's advice, called on H at his home early that morning, and had not been seen since (422). H said he was not answerable for Reynolds' departure, but mentioned Reynolds' possible motives—consciousness of having spread scandal, fear of further prosecution (408-9).

20. *Ibid.*, 398-9; of course H wanted a witness, and Wolcott was both friend and the official directly concerned with prosecution of Reynolds and Clingman. Badgered by Virginia Democrats led by Madison, H some months earlier had unburdened himself to his old friend Henry Lee and

soon after to Edward Carrington, hoping to organize a backfire in the Old Dominion against Democratic malignments. Lee lamented "the misery to which you continue to be exposed," but, in spite of fervent wishes, did not know how he could avert it. Those he most loved had "taken different sides on American questions, and this discord [had] issued in personal . . . hate." Lee declared his complete confidence in Hamilton's patriotic motives, though he had dissented from some of H's measures. He was bowing himself out of his uncomfortable position in the conflict; he had refused to go to Congress, had been reluctantly persuaded not to offer his military services to the French revolutionists, would retire to farming and find himself a wife. This gave Hamilton no help, but Lee added, delicately, a personal admonition the meaning of which Hamilton could not miss. Lee was sorry they had not been enough together in Philadelphia. Then, "Was I with you I would talk an hour with doors bolted & windows shut, as my heart is much afflicted by some whispers which I have heard" Lee to H., Richmond, May 6, 1792 (16 HLC 2126). The last passage is omitted in 5 JCHW 507-8, an illustration of misjudged filial solicitude. The reference was surely to Hamilton's affair with Mrs. Reynolds, which Virginia politicians—Monroe, Venable, and John Beckley—were soon to probe. It may have been from the last of these worthies that Lee had unwelcome intimations.

21. 7 LHW 399-400; cf. Wolcott's certificate to same effect, 444-5.

22. *Ibid.*, 450-52. It is worth noting that Monroe said H should keep the copies of H's notes, but copies of the other papers, after transcribing, should be returned. Thus Monroe retained two sets of most of the papers. This probably figured in a subsequent transaction to be related.

23. 23 HLC 3252-3, two sides, not in his hand, not dated, but doubtless early 1793, and anticipating arguments used at greater length in *Pacificus*.

24. The tracts first appeared in eight weekly numbers, eightpence each; the supposedly incriminating documents and charges against H were in numbers V and VI. They came out in collected form with title as above (Phila., Bioren & Madan, pp. 288, Jan. 19, 1797, Evans 31905). This edition, soon disposed of, was followed by a longer version, *The History of the United States for 1796, including a variety of interesting particulars relative to the federal government previous to that period* (Phila., Snowden & M'Corkle, copyright June 24, preface July 19, 1797, pp. 312, Evans 31906). Nos. I-IV appeared by June 20; V came out June 26, VI, July 4. In second version chapters do not correspond with original parts; V and VI become VI and VII.

25. Letter of H to editor *Gaz. of U.S.*, July 8, 1797; advertisement had appeared first on June 26, day of publication.

26. *History for Year 1796*, pp. 219-21, 228. Unless H were guilty of an offense "still more dishonourable . . . than that of incontinency" why should he seek to pack the Reynolds pair off? "Mr. Hamilton had only to

say, that he was sick of his amour, and the . . . hopes of Reynolds at once vanished. Our secretary was far above the reach of his revenge. . . . Reynolds['] . . . threats were . . . synonymous to lunacy" (222).

27. *Ibid.*, 205.

28. *Ibid.*, 205, 207-8; it was well known that H had written for Washington, but, said Callender, the assistant should not have boasted that his influence over the President was that of wind over a weathercock, etc.

29. 7 LHW 448-50.

30. *Gaz. of U.S., op. cit.*; search of this paper in the next month found no further reference to the matter.

31. *A Letter to Gen. Hamilton Occasioned by his Letter to . . . Adams*, 6.

32. Greenleaf's *N.Y. Jnl. and Patriotic Register*, July 15, 1797, LI, No. 56. Callender's letter was dated Phila., July 10, same day H's denial appeared in Fenno's *Gazette*; evidently composed in careless haste. Just a year previous (July 27, 1796), Thomas Greenleaf (1755-1798) proposed that H liquidate Greenleaf's handsome estate, which was temporarily embarrassed, and for his service receive one-third of the net residue; the whole residue was to be applied, for ten years, in establishing a bank in Phila. or N.Y. under H's "sole guidance," the profit to be divided equally. H replied (July 30) that the prospect was "of large pecuniary advantage" and the scheme in itself was unexceptionable, "yet, in my peculiar situation, viewed in all its public as well as personal relations, I think myself bound to decline the overture" (6 JCHW 141-2). The result was as well, for Greenleaf died two years later of a combination of yellow fever and tuberculosis. He was opposed to H in politics, visited Washington with "a great degree of virulence" (Isaiah Thomas, *Hist. of Printing in Am.*, I, 174; II, 119).

33. 7 LHW 452-5.

34. About a thousand words, same date, in Gratz Papers, PHS. I owe this valuable reference to Mr. T. R. Hay of Locust Valley, N.Y.

35. H's tart demands of Monroe were in contrast to the congratulations with which Phila. Republicans received him. He was eulogized by Gov. Thos. McKean at Oeller's Hotel, and the Columbia Fishing Company, after an outing on the Schuylkill, toasted him along with "Farmer Giles" (*Gaz. of U. S.*, July 3; *Aurora* 11, 1797). In New York an "elegant entertainment" was given Monroe "on his return . . . after a tedious and unthankful embassy, in which his abilities . . . were exerted to preserve a friendly . . . understanding between the two republics." Gen. Gates was in the chair (*Aurora*, July 17, 1797).

36. Monroe posted Jefferson that immediately on reaching New York he had an interview with "the friend of Mr. and Mrs. R[eynolds, i.e., Hamil-

ton], each of us having a friend present," but discussion was adjourned to Philadelphia where he expected Muhlenberg and Venable. From old dislikes "The issue is quite incertain [*sic*] as to the mode of adjusting what is personal in the business" (July 12, 1797, 3 *Writings* 69).

37. 7 LHW 455.

38. When H went to Phila. to seek satisfaction from Monroe, he had long since lost any tenderness for Maria Reynolds. He had doubtless confessed his error to his wife before she could have seen Callender's insinuations. In any event, finishing setting down the whole sorry business for the printer, he wrote home, "My avocations here my darling Eliza must detain me beyond the departure of the Mail stage but I certainly expect to leave . . . tomorrow morning. . . . Love to Angelica & Church. I shall return fully freighted with it for my dear Brunettes. (ALS, July 21, 1797, H Papers, Columbia Univ.). He was the more anxious to arrive because within a fortnight Mrs. H. gave birth to a son, Wm. Stephen, named for the patroon (ALS, Stephen Van Rensselaer to H, Nov. 6, 1797 [30 HLC 4181]).

39. ALS, N.Y., July 13, 1797 (30 HLC 4165-6), printed only in part in 6 JCHW 261. Original endorsed by H only with name of Church and date; JCH noted Fraunces' story of plottings at his brother's house; Mrs. H put under this "but he was a rogue."

40. Callender, *History of U.S. 1796*, pp. 216-7.

41. Callender, *op. cit.*, 218. This document, which Callender numbered V, Hamilton evidently intended to include in his pamphlet answering Callender (7 LHW 403); he referred to it as though the reader had the text at hand. This was necessary to H's purpose, and the unfortunate omission is doubtless to be laid to hasten in publication. He also unintentionally omitted a letter from Muhlenberg and Venable which he numbered XXXI (*ibid.*, 401).

42. *Ibid.*, 455-58.

43. 7 LHW 458-60.

44. *Ibid.*, 461.

45. July 17, 1797; 7 LHW 461-2.

46. ALS, July 18, 1797, to Monroe "at Mrs Lawsons, South Street" (Morristown Hist. Mus., printed 7 LHW 462).

47. July 18, 1797, 7 LHW 462-3.

48. July 20, 1797, *ibid.*, 464.

49. Aug. 6, 1797 (Morristown Hist. Mus.).

50. July 21, 1797, 7 LHW 464-66.

51. July 22, 1797, *ibid.*, 471-73; H had nominated Jackson as sec. of the Constitutional Convention; Jackson remained in Phila. as partner of Bingham, son-in-law of Willing, and at this time was U.S. Collector, but had retained his military character.

52. Phila., July 25, 1797, Morristown Hist. Mus., printed without indorsement, 7 LHW 475.

53. July 28, 1797, 7 LHW 475-6.

54. July 31, 1797, *ibid.*, 476-7.

55. Aug. 4, 1797, *ibid.*, 477.

56. ALS (probably retained copy), Aug. 6, 1797, Morristown Hist. Mus.; printed LHW, *ibid.*, 478.

57. Aug. 6, 1797, Morristown Hist. Mus.

58. ALS, War Office (Phila.) to H at N.Y. Aug. ?, 1797, *ibid.*

59. ALS, Morristown Hist. Mus., printed in 7 LHW 478-9. H had often pointed to Clingman's part in the plot against him; he now remarked that Maria's letters showed she had married Clingman.

60. ALS, no place, Aug. 13, 1797, to Monroe at Phila. (Huntington, Lib.). The wording was "we certify that, in consequence of Information which we received in December 1792 of a concern in speculation between A.H. then Sec. of the T. and one J. Reynolds, we had an explanation of the subject with the said A.H. who by that explanation supported by written documents satisfied us that the above charge was ill founded as we declared to him at the time. That the impression under which we left him of our being so satisfied was reciprocal and is still the same." (Wandell and Minnigerode, *Burr*, 283, without ref.) Monroe's friend Dawson made a statement (Aug. 17, 1797) that he called on Major Jackson at Monroe's request. Jackson did not consider Hamilton's letter to Monroe a challenge, "but as a declaration of his readiness to accept one." Dawson informed that it was not Monroe's intention to give a challenge but to accept whenever Hamilton wished to challenge him. However, Monroe would not give a different certificate from that of which Hamilton complained (ADS, Morristown Hist. Mus.).

61. To Burr, Dec. 6, 1797, *op cit.*; Washington to Pickering, Mt. Vernon, Aug. 29, 1797, noted that Monroe had passed through Alexandria week before but had not honored W. with a call (Pickering Papers, MHS).

62. ALS, Dec. 1, 1797, Morristown Hist. Mus. For text of this letter see Philip Marsh, in "Hamilton and Monroe," in *Miss. Valley Hist. Rev.*, Vol. 34, pp. 463-4, courtesy Rosenbach Co. Dated only Decr. 1797; omits name of Burr as his friend who is empowered to arrange the interview if H has invited it, though draft, also owned by Rosenbach, designates Burr. Another form of this inquiry, Albemarle, Dec. 2, 1797 (Huntington Lib.),

made it clear that H was the complainant, hence it would have been improper for Monroe to make it a personal affair. If H challenged him he would accept, and Mr. Dawson would arrange details.

63. His suggested wording, dated Phila., Aug. 10 (or 16?) is: "I hereby certify that it was not my intention to give any sanction to, or opinion of my own, as to the entry which bears my single signature, in the papers containing an enquiry into Col^o Hamiltons conduct, by Mess^{rs} Muhlenberg, Venable & myself in 1792, but that I meant it to stand on the credit of Mr Clingman only upon whose application the entry was made" (Huntington Lib.)

64. To H., July 17, 21, 1797 (7 LHW 456, 466).

65. Gratz Coll., PHS; for text and detailed discussion of whole episode, see Philip Marsh, *op. cit.*, in 34 *Miss. Valley Hist. Rev.*, 459-68. Marsh concludes that Monroe, after months of acquiescence under H's strictures, "would have faced a duel with some relish (p. 464), and regards Monroe's correspondence as provocative where Monroe himself disclaimed any such intention.

66. *A View of the Conduct of the Executive.*

67. Dec. 10, 1797, Monroe was surprised he had not heard of Dawson's demands upon H in compliance with Monroe's earlier directions. Dawson must now take becoming steps. "I think Livingston ought to be consulted as a man of judgment and candour & very friendly to me" (ALS, retained copy, Morristown Hist. Mus.). Dawson replied that he, Burr(?) and other friends agreed Monroe should drop the dispute with H. However, Livingston "declared explicitly, that you ought to have challenged him for the terms 'malignant & dishonorable.'" Burr had not known what to write to Monroe, "for had the whole business been left to him he should have brought you and Mr H. together immediately not liking that childish mode of writing—observing that he was convinced H. would not fight. . . ." Yesterday at dinner Livingston considered Monroe the one disinclined to fight. Dawson took the blame on himself, as he had dissuaded Monroe. Monroe had asked about his book. It appeared yesterday, was well received (ALS, Dec. 24, 1797, Morristown). Thus the business ended.

68. "He is unacquainted with my handwriting, and I could not be sure to distinguish his" (p. viii, in preface dated July 19, 1797).

69. Callender, *History*, 205.

70. *Ibid.*, 249-50. At the opening of the special session of Congress called by Pres. Adams in 1797, Beckley was not reelected clerk, contrary to custom, though he had a family and anxiously solicited votes. The British minister thought it was "because he had distinguished himself by a violent opposition to the present administration" (to Grenville, June 26, 1797, British State Papers).

71. ALS, Dec. 24, 1797 (Morristown Hist. Mus.). See *Aurora*, Phila., Dec. 29, 1797, Coxe to Speaker of House, asking investigation of his conduct as Commr. of Revenue, and *ibid.*, Feb. 1, 1798, explaining his intradepartment differences with Wolcott and H.

72. Callender, July 19: "He has now come [to Phila.] from New-York to complete a satisfactory statement. Like the pot whitewashing the kettle, he has already received from Mr. Wolcot [*sic*] a certificate of his virtue. He is . . . also soliciting Mr. Monroe and Mr. Muhlenberg, on both of whom he had heaped mountains of calumny. Mr. Hamilton entreats them, to attest his *innocence*, that is to say, their belief in his having *debauched Mrs. Reynolds*" (*Hist. of U.S. for 1796*, viii; cf. paragraph to same effect in *Aurora*, same day).

73. See Richard Folwell, *Short history of the yellow fever, that broke out in . . . Philadelphia, in July, 1797 . . .* (Phila., 1798). Monroe had anxiously hoped that H would not publish their exchanges in 1797, calling them not necessary to H's defense. But Monroe, refusing to exculpate H, was now to be branded as untrue to his word. When Sam'l Dexter saw H's pamphlet "produced by the rascality of the Scotch fugitive from Justice" he wrote, "I am in the habit of thinking you judge rightly; and most fervently wish that you may not hereafter think that silence & contempt were all his scoundrel attempts were entitled to from you" (ALS, Sept. 16, 1797 [30 HLC 4174]).

74. See Philip Marsh, "The Vindication of Mr. Jefferson," in *So. At. Quar.*, XLV, Jan. 1946, 61-7, and *Monroe's Defense of Jefferson and Freneau Against Hamilton* (Oxford, Ohio, 1948, 56 pp.).

75. Monroe to Madison, May 18, 1793, 1 *Writings* (S. M. Hamilton, ed.) 255.

76. To Jefferson, July 23, 1793, *ibid.*, 270.

77. 1 *Writings* 291-2.

78. June 15, 1796 (6 JCHW 131-2); to displace Monroe he suggested C. C. Pinckney, Marshall, Dessausure (*sic*), Bushrod Washington, McHenry, Peters—"either of them far preferable to Monroe." Wolcott had written the day before, "If more seizures should be made . . . I do not see but that Mr. Monroe *must* be recalled, and a special confidential minister sent" (*ibid.*, 129).

79. Without date (June 16, 1797?), 6 JCHW 134-5.

80. Mt. Vernon, June 26, 1797, *ibid.*, 135-7.

81. ALS, July 1797?, 2d ser. 4 HLC 433; cf. same to same, July 19, 1797, on eve of returning home, *ibid.*, 412.

82. ALS, to Eliz. H., care Gen. Schuyler, Albany, NYSL.

83. Phila., printed for John Fenno, by John Bioren, 1797, 38 pp. Copyright issued to Fenno as proprietor, July 26, 1797. Advertised in *Gaz. of U.S.*, Aug. 31, 1797, to be sold by William Young, corner Second and Chestnut sts, price $\frac{3}{8}$ ths of a dollar, with discount of one-third from retail price for wholesale purchases for cash. Author's ed., Ford, *Bib. Hamiltoniana*, 64; said by Sabin (29969) "was afterwards bought up by Hamilton's family and destroyed." There was more than one edition of same imprint and date. Reprinted "Pro Bono Publico" (by H's political enemies), Wm. Duane, Phila. and N.Y., 1800. JCH did not include the pamphlet in the generally comprehensive edition of his father's works, 1851.

84. Pamphlet "presents . . . statement of the base means practiced by the Jacobins . . . to asperse . . . characters of those . . . considered as hostile to their disorganizing schemes. It also contains . . . correspondence . . . proving . . . that the connection between [Hamilton] and Reynolds, was the result of a daring conspiracy on the part of the latter and his associates to extort money."

85. 7 LHW 369-87.

86. On reading Callender's warmed-over suspicions, Richard Folwell, a Phila. publisher, Aug. 12, 1797, wrote his recollections of her character to be sent to H for his exculpation of financial wrongdoing. Soon after coming to Philadelphia, Mrs. Reynolds lodged briefly at the house of Folwell's mother. ". . . her innocent Countenance appeared to show an innocent Heart." Her folly soon manifested itself. One moment she would declare her respect for her husband and want to return to him, the next would execrate him. "In one of these Paroxysms, she told me, so infamous was the Perfidy of Reynolds, that he had frequently . . . insisted that she should insinuate herself on certain . . . influential Characters . . . and actually prostitute herself to gull Money from them." Soon Mrs. R and her husband lodged with a Quaker woman in North Grant St., where, according to report, she did not live with him as his wife, but answered summonses "found in the Entry inviting her Abroad." With Reynolds in and out of jail she, and sometimes he, lived at addresses in North Sixth, then Vine next the corner of Fifth. She went the rounds of Mifflin, Dallas, and Hamilton seeking help for Reynolds who was being prosecuted. She later married Clingman and moved with him to East Nottingham, Cecil County, Maryland. Folwell refused to dispute the bad reputation that followed her there, reminding her that Reynolds was alive in New York. She replied that she had a divorce, though it was obtained a half-hour after her marriage to Clingman. ". . . she wrote me a very pathetic Letter— . . . it would move any one almost to serve her, that was not perfectly acquainted with her Character, confirmed by actual Observation" (AMH 473-76).

87. *Ibid.*, 387-479; probably it was the exhibit in the pamphlet of his shifts that prompted Monroe to tardy revival of the controversy, none of which, however, was known to H.

88. AMH 116-7. Probably not knowing at the time of Monroe's connection with the Reynolds affair, John C. Hamilton, April 18, 1815, requested a favor of him. Young H, as guest of Capt. Gordon of the *Constellation*, was going to the Mediterranean for his health; his passage would be authorized if the Sec. of State gave him a nominal appointment to a neighboring small court or at least charged him with official dispatches. "Col. Monroe's intimacy with my deceased parent, I permit myself to hope, will induce him to gratify my request" (ALS, NYSL).

89. *Aurora* (Phila.), Aug. 5, 1797. "Virtus" in same paper offered summary of H's defense: "I have been grossly . . . charged with . . . being a *speculator*; whereas I am only an *adulterer*. I have not broken the *eighth* commandment. . . . It is only the *seventh* which I have violated" (Oct. 19, 1797).

90. *Ibid.*, Oct. 20, 1797, quoting from *N.Y. Diary*.

91. *Narrative of Suppression by Burr of History of Administration of John Adams*, 11.

92. *Aurora*, Oct. 13, 1797. A Massachusetts clergyman was told that H "wished to recall & suppress his defence, conscious . . . that it places him in a more odious light as a man, than that in which he before stood as an officer. It is to be lamented, that at a time, when licentiousness . . . is prevailing, its progress should be accentuated by the undisguised example of a distinguished & public character." And he quoted, "Ye *Rulers of Sodom*—the shew of your countenance doth witness against you." He hoped H would not be recalled to office. Within a few months he was named inspector general (ALS, Jos. Lathrop, to unknown, Jan. 15, 1798, NYSL). Greenleaf's *N.Y. Journal and Patriotic Register*, commenting during the trial of David Frothingham, its foreman, for a libel on H, declared it not surprising that H "should lie in wait for an occasion to harass . . . the press for publishing to the world, what a good friend he has been to female distress; for like the angel of charity, he has poured the balm of consolation on the wounds of a poverty struck matron. . . . That even his purse strings were drawn to bestow pecuniary aid to him that ought to have been her real guardian" (Nov. 20, 1799). Any reproach of H by the opposition was apt to make use of the Reynolds affair, however inapplicable; see allusion of *Aurora*, Jan. 1, 1799, when H was said to thwart military pretensions of Col. W. S. Smith. However, a pamphleteer in 1802 repented that he had before presented "that woman as an amiable and virtuous wife, seduced . . . by artifice." He had since learned from her acquaintances that she was "destitute of every regard for virtue" and laid her snare "to entrap the feeling heart and benevolent mind"; such was the origin of her liaison with H (John Wood, *Correct Statement of Sources from which History of Administration of Adams was Compiled*, 9).

93. 7 LHW 405. Two years earlier H told Troup where he kept these papers (not otherwise identified than by initials on the bundle), and en-

treated that in case of his death they should be delivered by a careful hand to Wolcott. Later he chose, or intended, to place them with Bingham, doubtless because Bingham was at hand in Phila. where H used the records in preparing his pamphlet.

94. *Ibid.*, 479.

95. ALS, McHenry to H., and Bingham to McHenry, Nov. 18, 1799 (61 HLC).

96. The originals are not with the ms. of the Reynolds pamphlet in LC. H's letter to McHenry asking him to secure the papers from Bingham is not found among's McHenry's papers, nor among Bingham's, in LC.

97. ALS, July 21, 1801 (83 HLC).

Chapter 22 (Pages 423 to 453)

Preparing for Defense Against France

1. 6 LHW 259-318.

2. "The Warning" (Feb. 21, 1797), *ibid.*, 243-4.

3. ALS to Pickering, March 17, 1798 (22 Pickering Papers, MHS). Pickering in reply gave reasons why H's recommendations would be adopted only partially, but asked for further advice, particularly whether we should acquire Louisiana (March 25, 1798 [6 JCHW 272-7]). H answered we should make no alliance with Britain, for it would embarrass an accommodation with France. If Spain would cede Louisiana to us, absolutely or with an engagement to restore, we should accept the territory (March 27, 1798, *ibid.*, 278). Cf. ALS, King, from London, to N. Webster, Jan. 16, 1798, notifying of French intention to declare all British products contraband and prevent entry of any vessel that had touched at an English port (Webster Papers, NYPL). McHenry put to H questions which Adams had addressed to his Cabinet covering our relations with France, plus more of McHenry himself, saying "I . . . cannot do such justice to the subject as you can. Let me . . . entreat you to favor me . . . with your ideas" (ALS Jan. 26, 1798 [30 HLC 4196-8]).

4. March 22, 1797 (6 JCHW 213-15); a few days later he laid similar injunctions on McHenry (March ? 1797 [29 HLC 4088-9]). Uriah Tracy had less stomach for a new mission, but thought Gallatin or Livingston might be sent (ALS March 23, 1797, to H, *ibid.*, 4093). Wolcott adopted precisely H's proposals (see LS to King, April 27, 1797, Huntington Lib.). King also, in spite of French injustice, believed "we must notwithstanding adhere

to that pacific Policy, which has preserved us from this dreadful war. . . ." (sig. cut, to N. Webster, April 28, 1797, Webster Papers, NYPL).

5. ALS to Pickering, May 13, 1797, 24 Pickering Papers, MHS; cf. same to same, May 11, 1797, 21 *ibid.*

6. Draft, Grenville, Downing St., to Liston, June 8, 1798, British State Papers, NYPL. Liston had told Grenville that Pres. Adams was strikingly more popular since contemptuous treatment of our ministers was known; he was now eminently trusted "to conduct the nation through the impending storm" (May 2, 1798, *ibid.*).

7. Liston to Grenville, Sept. 27, 1798 (two letters), transcripts British State Papers, NYPL.

8. Same to same, Nov. 7, 1798, *ibid.* Grenville in reply regretted members of American government "have been unable to communicate to their Citizens a due Portion of their own Energy and Decision" (Dec. 1798, no day, but No. 20, *ibid.*).

9. May 19, 1798 (10 LHW 284-86).

10. May 27, 1798, Washington, 36 *Writings* 271-74.

11. June 2, 1798 (10 LHW 286-7).

12. June 5, 1798, *ibid.*, 288-90. H's resentment of French trespass did not blind him to similar British offense. Informed, especially by Rufus King, of the orders in council of January, 1798, he warned Pickering "it is the true policy . . . of our Government to act with spirit and energy as well towards G Britain as France. I would meet [mete] the same measure to both of them, though it should . . . furnish the extraordinary spectacle of a nation at war with two nations at war with each other. One of them will quickly court us. . . . It will evince that we are neither *Greeks* nor *Trojans*" (ALS, June 8, 1798 [22 Pickering Papers, MHS]; cf. same to same June 7, 1798, and LS, King to H, June 8-Aug. 20, 1798 [31 HLC 4272-3]).

13. June 9, 1798 (6 JCHW 303-37).

14. June 7, 1798 (10 LHW 294).

15. June 29, 1798, *ibid.*, 295.

16. July 4, 1798 (36 *Writings* 304-15).

17. July 5, 1798, *ibid.*, 318-20.

18. July 8, 1798 (10 LHW 295-97).

19. Pickering to Washington, June 6, 1798, in 36 Washington *Writings* 324, note.

20. July 11, 1798 (36 W. 323-27).
21. July 17, 1798 (10 LHW 297-8).
22. July 14, 1798 (36 *Writings* 327-29).
23. July 14, 1798 (36 *Writings* 329-32).

24. John Jay, expecting war with France, begged of Pickering that H should be ranked according to his merit. "To pass by certain characters cannot but be unpleasant; and yet . . . public good forbids their being called to the Field. we shall . . . have very different Generals to contend with from those which Britain sent here last war: and we should have very different ones to oppose them from several . . . who led our Troops" (ALS July 18, 1798 [22 Pickering Papers, MHS]); cf. Pickering to Jay, July 28, 1798 (6 JCHW 329-30).

25. July 18, 1798 (6 JCHW 327-28). Transcripts of Washington's letters of July 14, 1798, to H, concerning relative rank of major generals, in hand of Tobias Lear, are in NYPL.

26. July 29, 1798 (10 LHW 299-304). McHenry's shortcomings were deprecated generally, with cause; Hamilton more than others had to bear with them.

27. While H exaggerated the crisis and consequently his wish to receive authority, it is notable that he did not want to be preferred if that was awkward for Washington: ". . . permit me to add my request to the suggestions of your own prudence, that no personal considerations for me may induce more on your part than . . . you may think due to public motives. It is extremely foreign to my wish to create to you the least embarrassment, especially in times like the present, when it is more than ever necessary that the interest of the *whole* should be paramountly consulted" (Draft ALS, H to Washington, Sept. 30, 1798 [32 HLC 4492]).

28. To Sec. of War, Oct. 31, 1798 (36 *Writings* 349 n.).

29. July 16, 1798, *ibid.*, 345-7.

30. July 29, 1798, *ibid.*, 347-9, n. See Knox's reluctant letter of resignation as Sec. of War after serving the country nearly 20 years under Washington's "immediate auspices. . . . But in whatever situation I shall be, I shall recollect your confidence with all the fervor and purity of affection of which a grateful heart can be susceptible" (ALS to Washington, Dec. 28, 1794, Huntington).

31. Aug. 9, 1798 (36 *Writings* 393-5). Washington's to Knox, same date, was kinder, fuller than the recipient could have expected. Patiently Washington detailed the items favoring Hamilton, chief being the preference of members of Congress. Further, rank in the old army, long since disbanded, was not to govern now. It had not controlled in the force that

suppressed the Whisky Insurrection. He still hoped Knox would accept his commission and give his valued aid.

32. Copy, Knox to McHenry, Aug. 5, 1798; in H's autograph, McHenry to Knox, no date, 31 HLC 4374-5.

33. H to Washington, Aug. 20, 1798 (10 LHW 310-12).

34. ALS, Aug. 21, 1798 (32 HLC 4415-16). Richard Peters, who had experience for judging, supported Pickering: "I have been gratified by the Order of Appointment, because Col. H. is the only one fit to succeed the Com^r in Chief" (ALS, Aug. 30, 1798 [23 Pickering Papers, MHS]).

35. Copy, to McHenry, Aug. 29, 1798 (31 HLC 4396); cf. to same, Sept. 13, 1798 (8 *Works* 593-4).

36. Washington to McHenry, Sept. 16, 1798; to Hamilton, Sept. 24, 1798 (36 *Writings* 447-9, 452).

37. Sept. 25, 1798, *ibid.*, 453-62. As early as the spring of 1794 Hamilton proposed to the President that "some executive impulse" be given to military preparations against attack. His plan anticipated increase of the army which was actually undertaken four years later, and may have recommended him as inspector general then. Principal ports should be fortified, and 20,000 auxiliary troops in ten regiments should be enlisted for two years on a stand-by basis, serving and being paid for 40 days in the year. If war came, the additional officers were to rank and rise with those of the existing establishment (March 28, 1794, in clerk's hand, endorsed by H, 22 HLC 3017).

38. Adams to Washington, Quincy, Oct. 9, 1798 (8 *Works*, 600-601). Years later, still resentful that Washington had compelled him to name H second in command, Adams, in a letter to Jefferson, referred to H as "a bastard Bratt of a Scotch Pedlar" (July 12, 1813, L. J. Cappon, ed., 1 *Adams-Jefferson Letters* 353-4). My colleague Prof. Edward A. Chalfant reminds that the opprobrious epithet must be from Swift's "On Poetry, a Rhapsody":

"Not beggar's brat, on bulk begot;
Not bastard of a pedlar Scot . . ."

Adams said of his own ancestry, which he traced to the Saxon conquest, "A more . . . virtuous and more irreproachable race of people is not to be found in the world" (to John Trumbull, March 12, 1790, 115 *Adams micro.*). A man so foreordained should have possessed sufficient gentility not to stigmatize another less fortunate in regularity of descent.

39. Copy, Aug. 8, 1798 (31 HLC 4384).

40. Oct. 31, 1798 (6 JCHW 373-4).

41. March 14, 1799 (10 LHW 348); original is in XLII Knox Papers 55, MHS.

42. Copy, extract of letter to Col. Samuel Hodgdon, April 30, 1799 (42 Pickering Papers, MHS); note in copyist's hand says supposes refers to nomination of major generals; "Ames, Cabot, Higginson, Goodhue, T. Pickering, Wolcott, McHenry & Hamilton himself, would seem to be the *miserable animals* . . ." Pleas of Pickering, Wolcott, and McHenry to Washington to prefer H were repeated and emphatic. For activity of Cabot, Higginson, and Ames see Cabot to Pickering and to Adams, Sept. 29, 1798 (32 HLC, 4487, 4489-90).

43. Cf. to Henry Jackson, Nov. 24, 1799, Oct. 17, 1796, Huntington Lib., and Cabot to Pickering, Oct. 26, 31, 1798 (23 Pickering Papers, MHS).

44. This is disregarding the victory of the Democrats over the Federalists in Jefferson's election to the Presidency, 1800. There the forces against him were insuperable, even had he acted more wisely; a national period, socially as well as politically, had come to an end.

45. For laws covering provisional army see 1 Stat. at Large, 521 ff. On July 16, 1798, Congress authorized 12 additional regiments of infantry, 6 troops of horse to be enlisted for duration of differences with France; Navy Dept. was established under act approved April 3, 1798; March 2, 1799, the first medical establishment was formed on H's plan. May 14, 1800, all regular forces except four regiments of infantry, two regiments of artillery and engineers, and two troops of light dragoons were ordered discharged (3,399 men). See for excellent brief accounts Wm. A. Ganoe, *History of U.S. Army*, 104-7; R. E. Dupuy, *Compact History of U.S. Army*.

46. ALS, Aug. 6, 1798 (7 Wolcott Papers, CHS).

47. July 30, 1798, *ibid.*

48. ALS, Aug. 9, 1798 (31 HLC 4388). Jas. Gunn, of the committee of Congress to report measures of defense, said H must command army, direct war department, "and . . . the Legislative aid necessary to . . . support . . . that department must be arranged by yourself" (ALS, Dec. 19, 1798 [33 HLC 4617-8]). H in reply did not want to go too fast since "a prospect of peace is again presented by the temporizing conduct of France" (copy, Dec. 22, 1798, *ibid.*, 4632-3).

49. ALS, H to Wolcott, March 21, 1799; a late law allowed a secretary to the insp. gen., "But [he] ought to be a person of mind[,] he ought to be able to conceive well & compose correctly. Does this definition suit young Wharton?" (whom Wolcott had proposed) (Wolcott Papers, CHS; see also same to same, Aug. 21, 1798, *ibid.*). Two months later, in spite of extreme need, he was still unsupplied, and H inquired of Wadsworth and three other friends for recommendations. "He must possess a clear comprehension and a perspicuous correct and neat style," though the pay was inadequate (AL, May 18, 1799 [42 HLC 5782]); cf. to McHenry, June 5, complaining lack of clerical help produced delay in less important matters (*ibid.*, 5981).

50. Feb. 11, 1799. Whence were 50,000 soldiers to come? Most of those on the present establishment were alien Irish, "and the sons of American yeomen, are not fond of . . . the barbarous Prussian code [Steuben's regulations] which we have adopted." Cf. *ibid.*, Jan. 9, 1799; Federalists were corrupting America from republican to despotic government.

51. Copy, H to McHenry, Feb. 6; McHenry to H and Gibbs to H., Jan. 21, 1799 (35 HLC 4836, 34 *ibid.*, 4762-3, 4752). Gibbs had commanded Washington's bodyguard during the Revolution, was out of place in civil life, repeatedly appealed to H and Washington for military employment.

52. ALS, Sept. 4, 1798 (32 HLC 4457 and 5 JCHW 140). Tousard's thanks to H for sponsoring his reentry into our military service, and his application to be inspector of artillery (reciting his qualifications) Aug. 7, 1798, are in 2d ser. 4 HLC 445.

53. Copy, Sept. 4, 1798 (32 HLC 4457). His caution, Adams said, made him refuse to sign the commission of Maj. Brooks, his son-in-law, until sure he did not damn "me and all my children and grandchildren."

54. ALS to Tousard, Feb. 28, 1799 (36 HLC 5032-3). However, Tousard was an exception, for H considered "It has been well determined that none but natives shall be enlisted for the cavalry. I earnestly wish that this rule was adopted for the Artillery. It is extremely important that this corps shall be well composed and especially that there shall be every ground of reliance on its fidelity" (to McHenry, May 7, 1799 [41 HLC 5690]).

55. IX *Works*, ed. C. F. Adams, 294.

56. March 18, 1799, to Ford, same day to Dayton, 37 HLC 5147.

57. "His famliy have long been . . . head of the Federalists in Morris county, and have uniformly opposed . . . the torrent of Jacobinism, more prevalent there than in any quarter of our State" (ALS, Dayton to H, March 20, 1799, *ibid.*, 5165).

58. ALS, to Hamilton, Feb. 25, 1799 (35 HLC 4929-30); cf. LS, same date, *ibid.*, 4919. For Federalist impatience with lethargy in military preparations, see Sedgwick to H, Feb. 1799 (6 JCHW 393-4).

59. Thus *Aurora*: "Why all the war measures, pregnant with such oppression . . . , when there exists a conviction that peace is at our will?" (Feb. 28, 1799). Cf. ALS, A. W. Lusk, Fredericksburg, Va., to Sec. of War, March 24, 1799, asking whether "orders will be suspended untill it is known whether the present Mission to France will succeed" (37 HLC 5203).

60. ALS to H, March 25, 1799 (37 HLC 5211). Va. was not districted for another three weeks (ALS, Henry Lee to H, April 12, 1799 [39 *ibid.*, 5382]). Washington complained to H, "Not an Officer in this State . . .

has yet received his commission, to the . . . dissatisfaction of *all*, & relinquishment of many. . . ." (ALS, April 10, 1799, *ibid.*, 5367).

61. ALS, Tench Francis to Sec. of War, March 12, 1799 (37 HLC 5102); Cf. H. to Saml Hodgdon, April 15, 1799, asking weekly returns of clothing in store (39 *ibid.*, 5429).

62. LS, Hamilton to Col. Aaron Ogden, April 24, 1799, Morristown Hist. Mus.

63. LS, June 7, 1799 (43 HLC, 6013). Though recruitment for the regular regiments was faltering, Adams unexpectedly thought it "highly expedient" to select officers for the 28 regiments of the provisional army, and to accept volunteer companies, with their officers, for this reserve force (ALS, McHenry to H, May 23, 1799 [42 *ibid.*, 5335-6]). Gibbs (II, 236) suspected Adams wanted a counterpoise to H's influence in the regular establishment, officers in the provisional army owing their selection to their senators. This seems unjustified, for H, five months earlier, listing the impediments to any increase in the military, yet urged reviving and extending the idea of a provisional army. Soon H was directed to draw a bill for the purpose. (H to Gunn, Dec. 22, 1798 [5 JCHW 184-5], and letters between H and McHenry, *ibid.*, 188 ff). He worked under handicap of illness which sometimes put him to bed (ALS, Philip Church to McHenry, Jan 11, 1799 [34 HLC 4172]).

64. ALS, to Col. Wm. Bentley, June 1799 (41 HLC 5954). Amelia Court House, Va., was "within the hot bed of sedition," Bentley had written, and added significantly that the officer assigned to that station "will perhaps, find it convenient to recruit some men before he takes his stand." Men there, otherwise good prospects, held "the present Warlike preparations are for the Support of Executive Usurpation; such is the effect of the Democratic influence in this State" (ALS, May 3, 1799, *ibid.*, 5647-8). H proposed Bentley choose another locality. See also ALS, Henry Lee, March 24, 1799, to H, 37 *ibid.*, 5207. The Montgomery Co., Pa. Light Dragoons, called to meet, included "those who are for the support of the Federal Government, and no others." One of the "sworn Democrats" who tried to prevent commissioning of this troop was at the head of 700 deluded men and had put up "the symbol of sedition . . . at the Swamp Church" (*Gaz. of U.S.*, June 8, 1799).

65. ALS, McHenry to H, March 13, 15, 1799 (37 HLC 5112-3, 5126-8).

66. AL (drafts), H to various officers, March 16, 1799, *ibid.*, 5140-42. *Aurora*, for once, was with Federalists, calling on "every good republican" to discountenance opposition to the national tax law in Northampton (March 16, 25, 1799).

67. ALsS, H to McHenry, March 18, 1799, *ibid.*, 5145-47. Cf. to H. G. Otis Dec. 27, 1798, ". . . with a view to the possibility of internal disorders alone, the force authorized is not too considerable. The efficacy

of militia for suppressing such disorders is not too much to be relied on" (6 JCHW 380).

68. Same to same, March 19, 1799, *ibid.*, 5163; cf. Henry to H, March 21, on others ready at New Brunswick (*ibid.*, 5169). McHenry immediately requested the governors of Pa. and N.J. to alert volunteer cavalry, and proposed ordering troops from Windsor, Vt., for whom H prepared (ALS, McHenry to H, March 22, and AL [draft], H to Albany contractor, March 30, 1799, *ibid.*, 5190, 5239).

69. Macpherson to H, March 25, 1799, *ibid.*, 5209–10.

70. McHenry to Macpherson, April 4, 1799 (38 HLC 5293).

71. ALS, to H, April 1, 1799, *ibid.*, 5266–7; cf. McHenry to H, March 29, 1799, concerning Gov. Mifflin's delays (*ibid.*, 5231–2). A broadside circulating in western Va. inveighed against the Alien and Sedition Acts, national taxes, sinking fund, and "a mercenary standing army." The Federalists who sent copies to H, the atty. gen., and other officials feared it would breed physical violence. Pres. Adams was stirred to ask whether "these democrats . . . believe that . . . political liars have no part in the lake of sulphur and fire"? (Reeder to H, Lee, March 20, 22; Adams to McHenry, April 19, 1799 [37 HLC 5168, 5193–4, 39 *ibid.*, 5470]). By contrast, Jefferson deplored that the spirit of liberty, during the Revolution, had been supplanted by "the tory principle of passive obedience under the newfangled names of *confidence & responsibility*," that America was entwined in tories' "scorpion tails" (ALS, to R. R. Livingston, Feb. 23, 1799, Livingston Papers, NYHS).

72. April 3, 1799, *ibid.*, 5275.

73. Copy, to Sec. of War, May 3, 1799 (41 HLC 5625).

74. See charge of Asso. Justice Jas. Iredell to grand jury for district of Pa., April 16, in *Gaz. of U.S.*, May 18, 1799, where the "insurrection" was laid to "incessant calumnies . . . pointed against the government. . . ." H had asked Wm. Heth, Petersburg, Va., "What do the faction in your State really aim at?" Heth, always emotional, answered "Nothing short of disunion, and the heads of John Adams, and Alexander Hamilton. . . ." (ALS, Jan. 14, 1799 [34 HLC 4726–8]; cf. Jan. 18, with talk of "Civil War," "convulsion," etc., *ibid.*, 4748).

75. July 29, 1798 (6 JCHW 333).

76. To H, Aug. 9, 1798, *ibid.*, 337.

77. H to Washington, May 3, 1799 (41 HLC 5641).

78. To H, April 1, 1799, *ibid.*, 406; cf. Oct. 10, 1798, *ibid.*, 366; on McHenry's "diffidence" in his "unpopular department," to Fisher Ames, Dec. 29, 1799, 2 Gibbs 315.

79. April 13, 1799 (39 HLC 5401), also to Washington, Jan. 4, 1799 (34 *ibid.*, 4773).

80. July 29, 1798, above.

81. ALS, April 8, 1799, Wolcott Papers, CHS.

82. Copy, H to McHenry, Jan. 7 (34 HLC 4694-5), Jan. 16, 1799 (5 JCHW 190). Several of these programs are printed in *ibid.*, 218 ff. During the Revolution H insisted, in his own and all similar cases, that an aide did not forfeit his claims to command in the line. Consequently in his draft of the act for organizing the army he pointedly provided that "the officer detached shall, nevertheless, retain his station in his regiment, and shall rank and rise therein, in the same manner as if he had not been detached" (*ibid.*, 226).

83. ALS, to H., Jan. 25, 1799 (34 HLC 4775-6).

84. Feb. 16, 1799 (6 JCHW 395-6).

85. To McHenry, Jan. 7, 1799 (5 JCHW 186-88); cf. McHenry to H, Jan. 5, requesting preliminary plans for the recruiting service, 34 HLC 4691.

86. LS, McHenry to H, Jan. 9, and Sam'l Lewis to same (with draft), Jan. 28, 1799 (34 HLC 4697, 4784).

87. ALS, McHenry to H, Feb. 8, 1799 (35 HLC 4844).

88. Feb. 4, 1799 (5 JCHW 199 ff.).

89. LS, Jan. 31, 1799 (2 copies), 34 HLC 4606-8.

90. Feb. 12, 1799 (35 HLC 4852-3), printed in 5 JCHW 211-13; cf. copy, Manuel Gayoso de Lemoz to Wilkinson, Jan. 2, 1799, concerning Americans taking possession of Ft. St. Stephens, 34 HLC 4689; Wilkinson to McHenry, Jan. 10; deposition of Robt. Pryor, Jan. 12, 1799, about alleged trespass of U.S. soldiers on Spanish territory, *ibid.*, 4704-10, 4716-18.

91. Feb. 13, 1799 (35 HLC 4854).

92. ALS, Loftus' Heights [Natchez], Miss. Territory, April 15, 1799 (39 HLC 5404-11). When Wilkinson departed northward, his officers and the citizens of Natchez presented him with fulsome testimonials; he replied as would a President to a congratulatory address, and all went to H (May 25, 28, 1799 (42 HLC 5876-7, 5912-13)).

93. H, Jan. 30, 1799 (circular, this one to West Point), 5 JCHW 198. Capt. Geo. Ingersoll making his return, "I am fully of opinion with the General, that a . . . relaxation exists with the troops of the Atlantic States" (ALS, Feb. 18, 1799 [35 HLC 4868-71]); cf. Maj. Dan. Jackson, Watertown, regretting looseness and that "Some of the soldiers have not received any pay since their Inlistment" (Feb. 27, 1799 [36 *ibid.*]). Nine

months' pay was due the garrison at Ft. Niagara (Maj. J. J. U. Rivadi to H, May 30, 1799 [43 *ibid.*, 5934-5]).

94. March 1, 1799 (5 JCHW 222).

95. E.g., in reviewing decisions in cases of Tyson, and of Murphy, Landais, and Gill, he sharply disagreed with the court in its reasoning, though he confirmed the findings. Tyson was discharged for desertion because "out of stupidity or Insanity he was incapable of serving in the Army." The court, H observed, should have determined whether the prisoner was sane; if not, he was not guilty, indeed was exempt from trial. In the other case the court held the accused not guilty because Rice, the only witness against them, was a perjurer and not a credible witness. He set the court straight on the definition of perjury, saying this man could testify (copy, general orders, Oct. 4, 1799, Morgan Lib. NYC). For other instances, see 35 HLC 4908-9, 39 *ibid.* 5483.

96. On autograph memo of 28 items of all sorts demanding his attention, 34 HLC 4815.

97. *Ibid.*, 4821.

98. 35 *ibid.* 4825.

99. 41 *ibid.* 5731.

100. 40 *ibid.* 5503; could not be sanctioned (41 *ibid.* 5649). Personal feuds between officers in isolated garrisons were a nuisance; Capt. Bruff expostulated that Maj. Rivardi, at Niagara, exempted a soldier's wife, who drew rations, from her share of the washing (34 *ibid.* 4732-3).

101. Wm. North, appointed adjutant general, who would have been H's helper in such details, did not come into active service until later.

102. Wm. Wilcocks to H, May 24, 1799 (42 HLC 5863).

103. To Sec. of War, May 10, 24 (42 HLC 5783); to Col. Ogden, May 22, 1799 (Morristown Hist. Mus.). He crossed out a suggestion that the present hat would be somewhat improved in appearance "if a white binding of the brim is added in imitation of lace." Recruiting would be hampered if the soldiers did not get what government promised. He had been distinguished, when a captain of artillery, for extra care for uniforms of his troops; cf. his emphasis on distinguishing insignia, proper fit of uniforms, draft of regulations, Dec. 13, 1798 (5 JCHW 170 ff.), and Act for Better Organizing of Troops, March 3, 1799, *ibid.*, 230-31. In his own wardrobe he must have been a tailor's delight. H's position as inspector general entailed all duties from prescribing hat tassels to drafting laws. Gunn, chm. of Senate committee, and McHenry called on him to prepare bills embodying new provisions for both regular and projected armies, at same time keeping all that was wanted of the old (ALS, McHenry to H, Jan. 10, 1799 [34 HLC 4703]).

104. See Adams to H, Oct. 17, and H to Jay, Oct. 29, 1798 (5 JCHW 140-41, 142), and Jay to H, Oct. 24, 1798 (6 *ibid.* 369-70).

105. See McHenry to the Committee, June 13, 1798 (31 HLC 4274-77), and Item 296 in Catalog Am. Art Assn., March 18, 1925, facsimile of H's autograph certificate of Stevens' services, signed by H and countersigned by Burr (NYPL).

106. One employed was John Hills, now of Phila., who had helped fortify the city for the British during the Revolution (ALS, Hills to Jay, April 14, 1798 [30 HLC 4224]; extract of letter, McHenry to Stevens, Jan. 12, 1799 [34 *ibid.* 4719]). Several inventions were offered to committee, including a floating battery sponsored by Simeon DeWitt, a telegraph comprising telescopes and signals that would give knowledge of a ship at distance of 70 miles in 3 minutes, and a spring shot that would expand to 13 inches equal in destruction to a ball of 200 lbs. (31 *ibid.* 4282-5). Cf. material on defenses of N.Y., partly in hand of Schuyler, partly of Wm. North (June, 1799?), 43 HLC 6021-6. Tousard aided with defenses of Newport, Boston, etc. (McHenry to Tousard, Jan. 16, 1799 [34 *ibid.* 4744-5]).

107. See Wm. Spence Robertson, *Life of Miranda*, 2 vols., 1929. Years after his proposals to H came to nothing, he was captured in an abortive revolution at Caracas and imprisoned by Spain until his death at Cadiz. His extensive papers are preserved at Caracas, published as *Archivo Del General Miranda*, 15 vols., Caracas, 1929 ff.

108. Miranda from Paris to H, Nov. 4, 1792, Archivo . . . Miranda, XX, 145-6, photostat in Papers, Columbia Univ. Cf. 1 Robertson's *Miranda* 43-4.

109. The cost would be \$3,622,000, and the men could be recruited, for any popular project, in New England in three months (photostats from Miranda Archive, H Papers, Columbia Univ., Knox's part dated Boston, Nov. 23, 1784).

110. April 6, 1798, *ibid.*, XV 234-6. They must guard against French principles poisoning freedom in the Western Hemisphere; Miranda forgot that he had championed ideals which so soon disappointed him. H must prepare Henry Lee, and if possible Knox also, to help emancipate Mexico and Peru. Cf. 1 Robertson 158 concerning Miranda's negotiation with Pitt said to have been confided to him by H and Knox. At his departure from Paris for London, Miranda had written H, Feb. 7, 1798, ". . . the entire Spanish-American Continent seems prepared to throw off the yoke . . . and to enter into an alliance with the United States and England. . . . I believe that we will ultimately gain a victory for our cause and thus promote the happiness of the New World as well as the tranquillity of the Old" (20 HLC 208).

111. Aug. 22, 1798 (10 LHW 314-5); cf. to Gunn, Dec. 22, 1798 (5 JCHW 184): "If we are to engage in war, our game will be to attack where

we can. France is not to be considered as separated from her ally. Tempting objects will be within our grasp."

112. Aug. 22, 1798, Miranda Archives, *ibid.*, 303-4, printed 10 LHW 315-6.

113. From London, Oct. 19, 1798, Miranda Archives, *ibid.*, 307-8.

114. Oct. 20, 1798 (6 JCHW 368).

115. ALS, Miranda to Hamilton, Feb. 7, 1798 (30 HLC 4202). Years later Madison commented, ". . . it can scarcely be doubted that [Miranda] possessed a mind of more than . . . ordinary stature, improved by diversified acquirements. . . . however . . . his greatest talent lay in giving them a bold relief by a colloquial eloquence. . . . His subsequent conduct in the U.S. and his career and degradation after he left them, mark a character of very little respectability," though this might be too harsh a judgment (ALS to Rush, Sept. 9, 1815, Morristown Hist. Mus.). For a dozen friends of H's circle to whom he wished to be remembered, see ALS, Miranda to Duer, Feb. 1798?, Duer Paper, NYHS.

116. Jan. 21, 1799 (6 JCHW 390).

117. Jan. 26, 1799 (6 JCHW 390-91); for Otis' queries, *ibid.*, 377-9; he had asked whether we should seize French West India islands as indemnity for spoiliations, but H, though he promised a reply on that head, omitted to make it.

118. Feb. 27, 1799 (36 HLC 4944); the ms. 4946-5022.

119. March 4, 1799 (6 JCHW 402).

120. H to McHenry (private) June 25, 1799 (5 JCHW 278), and ALS, Washington, same day to H, 45 HLC 6219.

121. H to Wilkinson, May 24, 1799, *ibid.*, 247-8.

122. June 27, 1799, *ibid.*, 282-3; cf. rept. of Wilkinson on military posture in West, Sept. 6, 1799. "The imbecility of the Spanish Government on the Mississippi" made it possible to capture New Orleans in one hour (52 HLC).

123. Miranda, London, to H, Oct. 1, 1799, H Papers, Columbia Univ.

124. Cf. Bowers *Jefferson and Hamilton*, 426-8; Schachner, *Hamilton*, 382-8.

125. A connected notion, sometimes met with, is that in enlarging the army H wanted to emphasize the cavalry because horsemen would be especially serviceable in suppressing internal revolts, which was an object with him in strengthening the military. It is true that the cavalry were useful, and could have been more so, in rounding up those accused in the Whisky Insurrection. But as to his motives later, it is enough to say that

he recommended a beginning in this branch, a single troop, for "an experiment of the different principles in order to the formation of a good system" (to McHenry, July 2, 1799 [5 JCHW 284]; cf. same to same, June 25, 1799, *ibid.*, 278). Further, it was his aim to develop eventually "a large corps of efficient cavalry" (not composed of militia), because important to an untrained force against a disciplined invader. Cavalry was difficult to be imported; if we had this arm we could cut off enemy supplies. "Were I to command an undisciplined army, I should prefer half the force with a good corps of cavalry to twice the force without one" (to Pickering, May 11, 1797 [6 *ibid.* 249]).

126. See to Washington, Nov. 19, 1792 (4 JCHW 328-31). It was doubtless Mrs. Hamilton, charitable all her life, who visited in Philadelphia distressed French refugees from Santo Domingo and supplied her husband with particulars of the most destitute families. He noted these briefly for preface, and she circulated the paper among friends for subscriptions for their relief. The appeal was poignant from the terseness of description. "Madame LeGrand with two Children lives near the little Market at the house of Mr Petin, French Hatter in the greatest Indigence. Madame Gauvin Second street North No 83 with three Children equally destitute. Madame Demarie blind with a daughter who is a widow and a little Child No 19 Cedar street in dreadful distress[.] Madame Noel 7 Children and an orphan of whom she took charge Mulberry Street No 223—has not yet experienced so great extremity, as the former but is . . . without money and owes 26 Dollars," etc. Mrs. Hamilton was a chief subscriber, along with Mary Morris, Lucy Knox, Elizabeth Cabot, and such men as Cazenove, Wm. Smith, and Ellsworth (3 HLC, 2d series, 249).

127. ALS, Pickering, confidential, to H, Feb. 9, 1799 (35 HLC 4846).

128. ALS (initials), Feb. 9, 1799, Pickering Papers, MHS, printed 6 JCHW 395.

129. To Washington, Feb. 16, 1799, *ibid.*, to Pickering, Feb. 21, 1799, MHS.

130. Feb. 20, 1799, *ibid.*, 398; Pickering to Stevens, Feb. 26, 1799, *ibid.*

131. He had recently written to Lafayette, "what [in government] may be good at Philadelphia, may be bad at Paris, and ridiculous at Petersburg" (Jan. 6, 1799, *ibid.*, 388).

132. Jefferson twisted H's caution, fiscal and political, concerning Santo Domingo to mean that the United States should not recognize or pay money to the revolutionary government unless headed by a king (4 *Writings* [Ford ed.] 473; cf. 5 *Hist. Repub.* 121 n.).

133. ALS (initials), to Pickering, 24 Pickering Papers, MHS. Maybe, in spite of his own West Indian connections, which taught him that the island could not be a republic, Pickering thought this strong medicine.

Anyhow, he said in reply that the President would do nothing to encourage Toussaint to declare independence, but would open commerce when Stevens certified privateering was at an end (Feb. 25, 1799 [6 JCHW 398-9]).

134. See 32 autograph pp., heavily revised, "Tactics of the Infantry," giving the manual of arms, "principles of marchings, of alignments, of conversions, and of changes of Direction," orders, etc. (65 HLC, here dated 1799 but probably early 1800). H had helped Steuben, at Valley Forge made inspector general, in the delicate task of producing discipline in the army. H knew French, had confidence in the baron, doubtless recommended Col. Francis Barber as one of his division inspectors. Washington warned Steuben that it was difficult to form a scheme generally applicable, yet "not . . . disgust the officers belonging to so many different States," who, moreover, were prejudiced against foreigners. "I was in want of information and advice," Steuben recorded, "and I was fortunate enough to find a few officers of merit, who gave me every satisfaction; they were General Greene, Colonel Laurens, and Colonel Hamilton. Having drawn out my last plan, I communicated it to these three officers, and made the alterations they deemed advisable, before I presented it to the commander-in-chief" (Kapp's *Steuben*, 124-5).

135. ALsS, H to Cols. Rice and W. S. Smith, March 26 (72 *ibid.*), and Smith's sententious reply, April 5, 1800 (73 *ibid.*); request to Pinckney, same date, is in 5 JCHW 415.

136. See to Pinckney *et al.*, March 18 (71 HLC), May 14 (76 *ibid.*), to Noailles May 5 ff. (75 *ibid.*), May 27, 1800 (77 *ibid.*), this last asking that experiments be made, and urging, "It is very important in Tactics to ascertain the proper length and speed of the step." His printed observations are in 7 LHW 200.

137. H to McHenry, Nov. 30, 1799 (5 JCHW 384-5 and 7 LHW 187); C. C. Pinckney to H, Dec. 5 (63 HLC); H to Tousard, Dec. 22, 1799 (64 *ibid.*).

138. ALS, Tousard to H, Feb. 25, 1800, reporting progress and sending outline of work to be completed by April (69 HLC). In 1809-13 appeared Tousard's ambitious *American Artillerist's Companion*, 3 vols.

139. H to Walbach, Nov. 30 (62 HLC); to Pinckney, Dec. 2, Pinckney to H, Dec. 12, 1799 (63 *ibid.*), May 30, 1800 (77 *ibid.*). Military manuals which H ordered as finale to his inspectorship are in HLC, Vols. 80-82. H himself prepared instructions for "formation of a reg^t of infantry," all most particular, including a provision that ran back to his own demand when a young staff officer: pay and quarter master might on special occasions at discretion of colonel "be employed in service of the line." Not in H's hand, but by him, is manual of arms and service of the guards; some of latter, as also "Measures for improving discipline of the Army" in hand of Wm. North; parts are missing (Vol. 80). Long "Instructions . . . for . . .

Formation and Movement of the Cavalry" (composed under Pinckney's direction) shows rummaging of European precedents (80-81). Even fuller is Tousard's "Code of Exercises, etc. of Corps of Artillerists and Engineers" (81 and whole of 82).

140. A number of folio pp. in his autograph, probably Dec., 1799; also several copies in other hands, one with colored illustrations (66 HLC); cf. ALS, H to McHenry, Dec. 19, 1799, concerning uniforms and pay for officers' servants (64 *ibid.*, printed 7 LHW 188-90).

141. 65 HLC; see here printed "Rules and Regulations respecting the Recruiting Service," in 37 sections, and in H's hand "Alterations and Additions to the Recruiting Instructions." Also "Measures in the War Department which it may be expedient to adopt," not in H's hand but doubtless by him; begins with reorganization of militia, to be divided into five classes. ALS, draft, H. to McHenry, Dec., 1799, giving "A complete revision of the articles of war," is printed in 7 LHW 194.

142. See his inquiry (of Wm. Bayard, Aug. 6, 1800) for a suitable president of his alma mater, 6 JCHW 451.

143. The Sec. of War had it from Rufus King, minister to England, that the inventor, Count Rumford, wished to revisit his native America and present to the military academy to be formed his collection of appropriate books, plans, drawings, models, etc. McHenry secured President Adams' authority to offer Rumford several offices, including supt. of the military academy (ALS, McHenry to King, July 3, 1799, Huntington Lib.).

144. U.S. was obliged to procure muskets and cannon from England and Germany; cannon had been successfully cast in this country, but the art was not perfectly understood, and we sought to buy models abroad if exportation would be allowed (ALS, Oliver Wolcott, July 3, 1798, to Rufus King, minister to G.B., Huntington Lib.). This illustrated why H wanted a cannon foundry at West Point.

145. LS (small parts in H's hand), to McHenry, Nov. 23, 1799 (by endorsement), Huntington Lib.; a transcript in U.S. Military Philosophical Soc. Papers, NYHS, printed 5 JCHW 378-83; a draft, all in H's hand, is in form of "An Act for establishing an Academy for instruction relative to the Military and Naval Service of the United States" (33 HLC 4658-60); cf. Lewis Tousard, copy of memoir on formation of a school of artillerists and engineers (*ibid.*, 4636-7); doubtless H got Tousard to prepare this and used it in his own proposals.

146. LS, Nov. 28, 1799 (62 HLC), printed 5 JCHW 383-4. Tousard suggested minor amendments to H's plan for a military academy, ardently approved it in general. (ALS to H, Nov. 22, 1799 [61 HLC]; copies of H's plan, Nov. 23, 1799, are in 62 *ibid.*) Probably earlier H had suggested formation of a regiment of officers and sergeants only, to have a fixed station and "be carefully instructed in all the parts of Camp, field & garrison

service." All new regiments should have their sergeants from this corps, which would "constitute the bones of an Army in case of need" (1799? under "Measures for War Dept. . . . expedient to adopt," 65 HLC).

147. LS, Dec. 12, 1799 (63 HLC), printed 5 JCHW 387.

148. ALS, 69 HLC.

149. March 19, 1800 (71 HLC). However, on the same day McHenry was dubious of enactment, since "Whatever respects the army is in some way . . . counteracted" (ALS to H, *ibid.*). A month earlier he despaired of his "last weak effort" for the military academy and the army; the session might close without result, as the navy (the favorite of Adams) is to "ingulph everything" (ALS, to H, Feb. 18, 1800 [68 HLC]).

150. Copy, in 3d person, May 10, 1800 (75 HLC). H had recommended this to McHenry with the observation that the French officer would respond to proof that he was not regarded with suspicion (ALS, Dec. 20, 1798, H Papers, Columbia University).

151. May 21, 1800, to John Adams (76 HLC).

152 ALS, May 22, 1800, *ibid.*

153. AL, draft, H to Adams, Camp at Scotch Plains, May 24, 1800; cf. blurred letterpress copy, McHenry to Adams on same subject, *ibid.* A few weeks earlier H had received, through McHenry, a request of Mrs. Adams, at her drawing room, that Col. Smith's regiment be one of those chosen to transfer to Newport for the summer to work on fortifications, as then Mrs. Adams would have her daughter near Braintree (ALS, McHenry to H, April 5, 1800 [73 HLC]). H replied politely that he would accede to the intimation if this proved compatible with good of the service (to McHenry, April 7, *ibid.*), but later troops nearer R.I. were ordered to this duty.

154. ALS, June 20, 1800 (77 HLC); Adams added, characteristically, that he was by now inured to criticism, and would tempt it further if occasion offered to prevent the meritorious Smith being discriminated against "merely because he married my daughter."

155. LS, Tousard to H, May 26, 1800. H must have pressed, for the Sec. of War opposed Tousard's preferment (copy McHenry to Adams, same date, 76 *ibid.*), and Smith hoped that if H retired, superintendence of the Atlantic posts would be given to him (Smith) so "the Corps [of artilleryists] would at least be left in the hands of an American and not of a french officer, already overrated" (ALS, private, to H, May 28, 1800 [77 *ibid.*]). Earlier Tousard, ignorant of H's plans for him to commence the military academy, complained of being ordered to West Pt., wanted to be put in charge of fortifying N.Y. harbor (to H, March 1, April 22, 1800 [69 and 74

ibid.]). U.S. Military Academy Library, West Point, has letters of Tousard and other officers, Aug. 21, 1801–Dec. 2, 1802, showing concern for widow and six children of Capt. John Lillie (commandant before Tousard arrived in autumn, 1801) who died of apoplexy. They arranged for appointment of her eldest son, 11½ years old, as a cadet.

156. H to McHenry, May 31; cf. May 30, 1800, to W. S. Smith begging every facility for Tousard in recruiting (77 HLC). As a last item in H's friendship for Tousard, he commended the Frenchman to R. R. Livingston, minister at Paris, for his bravery and sacrifice in the Revolution, adding that he enjoyed the confidence of Washington. If after this it was useful to say "that he possesses in a high degree my esteem . . . , it is a title which he may freely claim" (ALS, April 10, 1804). After two more intervals in the U.S., Tousard died in France in 1817.

157. LS, to H., June 3, 1800, *ibid.* President Jefferson, in 1808 when hostilities loomed, was obliged to reverse his stand for a primitive officers' training school. He told Senate and House, "The scale on which the Military Academy . . . was originally established, is become too limited to furnish the number of well instructed subjects, in the different branches of artillery and engineering, which the public service calls for." He submitted proposals of Col. Jona. Williams providing an academy elaborated much on H's plan. Had more than mathematics been included at first "we should, at this day, have a greater number of well instructed young officers than we can boast of." John C. Calhoun, Sec. of War, in 1819 commended "dividing the course . . . between two schools—the one elementary, and the other a school of application," as H had suggested (Am. State Papers, 1 Military Affairs 228 ff., 834 ff.). The stages by which the earlier wisdom of H (and Washington and McHenry) was reverted to are described in Sidney Forman, *A Sesquicentennial History of the United States Military Academy*, especially Chap I, ms. kindly lent me by the author, whose briefer *West Point* (1950) see; also G. Brown Goode, "The Origin of the National Scientific and Educational Institutions of the United States," in Am. Hist. Assn. annual rept, 1889, pp. 53, 161.

Chapter 23 (Pages 454 to 473)

Prelude to Dissension

1. 65 HLC; six folio sides in H's autograph, considerably revised and showing, in changes of ink, that the paper was penned at different times; not dated, but from context was probably written in 1799. A note by James A. Hamilton says it was given to him by Dayton. Printed in 6 JCHW 383–8.

2. Cf. H to King, Jan. 5, 1800 (10 LHW, 357-60).

3. Cf. "A Citizen," Albany, Oct. 20, in *N.Y. Daily Adv.*, Nov. 6, 1799, commending the project of a turnpike from Geneva to Fort Schuyler to connect western New York with the Hudson. This hinterland was fertile "yet . . . totally removed from the commercial system of the country. There is . . . no single object . . . of our economical regulations which demands equal attention." Also advertisement, in same issue, of New York State Road Lottery.

4. Undoubtedly H's extreme anxiety over internal affairs was intensified at every point by his fears of French imperialist designs. Domestic repression inspired by the charge, real or pretended, of foreign aggression is familiar in many countries and epochs. Infringement on civil rights, with this excuse, at the close of the Federalist period, was to recur in America. In any event H devised (1799?) armorial bearings for the United States, with an autograph description without which the most apprehensive patriot could not have grasped the excruciating symbolism. Pallas, "the Genius of America," with her spear is breaking asunder the scepter of the colossus ("alluding to the French Directory") which, one foot in Europe, extends the other toward this continent to acquire world dominion (65 HLC, printed 7 JCHW 685).

5. ALS, Feb. 27, 1800 (69 HLC).

6. March 7, 1800 (6 JCHW 431).

7. [Nov. 6], 1799 (62 HLC).

8. See 6 JCHW 413-14.

9. He knew that coupling revilement of himself with injury to the country might bring on him the charge of vanity. He "must be content with the mortifications" to which he exposed himself. "In no event, however, will any displeasure I may feel, be at war with the public interest. This in my eyes is sacred" (to Henry Lee, March 7, 1800 [6 JCHW 431]).

10. H Papers. NYPL has copies of numerous articles in Greenleaf's *N.Y. Jnl. and Patriotic Register* treating the case; above is from those of Nov. 20, Dec. 7, 11, 14; for verdict against Frothingham, Nov. 23, 1799.

11. 27 HLC 3821-5.

12. March 14, April 9, 1796, *ibid.*, 3838, 3866; Wolcott to H, April 29, 1796, 6 JCHW 111.

13. ALsS April 16, 17, 1796, 27 HLC 3875-9.

14. Feb. 25, 1799. The editor recited circumstantial evidence. Adams sent in the nomination of Wm. Vans Murray to be emissary on Feb. 18. On the 23rd H and Jay arrived in Phila. direct from Albany. The connection

was plain. (Actually, H seems to have remained in N.Y.C.). Liston, the British minister, dispatched home the disconcerting news by special messenger. "That the British and their party were anxious to involve us in the coalition is . . . obvious. . . . That the appointment of a minister to France to adjust differences . . . is . . . a frustration of the British intrigues among us, can hardly be disputed." Still, "the force of British gold [and] intrigue" must be resisted by the Republicans. Cf. *ibid.*, Feb. 20, 28 for further exulting that with the prospect of peace, internal strife, and draining taxation would be done away.

15. Jan. 6, 1799 (10 LHW 336-7). Two months before Adams nominated Murray, H opposed "any augmentation of the army beyond . . . existing laws" since "a prospect of peace is again presented by the temporizing conduct of France" (to Gunn, Dec. 22, 1798 [5 JCHW 184]). Washington, writing to Lafayette at the same time, assured him that "The friends of Government . . . are anxious to maintain its Neutrality, and to preserve the Country in Peace. . . ." The opposing party proclaimed that the motive was "an overweening attachment to Great Britain," but this was "void of foundation; and propagated for no other purpose than to excite . . . clamour against those whose aim was peace, and whom they wish out of the way." But his love of neutrality had its limits. France was "setting the world in an uproar," and he had "again consented to gird on the sword" because "having struggled against the Invasion of our Rights by one Power . . . , I could not remain an unconcerned spectator of . . . attempts of another Power to accomplish the same object. . . ." (Dec. 25, 1798, Morgan Library).

16. ALS, Feb. 19, 1799 (35 HLC 4876, printed 6 JCHW 396-7).

17. N.Y., Feb. 21, 1799 (6 JCHW 397); he would write next day if he thought differently, but we have no such correction, and he clearly held to this instant opinion.

18. Sedgwick to H., Feb. 19, 1799, above.

19. Pickering to H., Feb. 25, 1799 (6 JCHW 398).

20. Sedgwick to H., Feb. 22, 1799 (5 *ibid.* 217).

21. Feb. 25, 1799.

22. Sedgwick to H., Feb. 25, 1799 (6 JCHW 399-400); 2 Gibbs 205.

23. *Character of John Adams*, 7 LHW 336 ff.

24. *Ibid.*, 338; less directly he intimated that Adams responded to counsel through "clandestine and impure" channels.

25. See *Correspondence of the Late President Adams . . . in the Boston Patriot* (Boston, Everett and Munroe, 1809).

26. See 2 Gibbs, *Administration of Washington and Adams* 192-3.

27. "The mission of 1799 was . . . the crowning effort of democratic . . . sagacity. The opposition . . . destroyed the confidence of the federalists in their acknowledged head. They turned . . . the power of the leader to the destruction of his own followers. . . . Mr. Adams was in this the dupe, Mr. Gerry the agent, and Mr. Jefferson the plotter" (2 *Administrations of Washington and Adams* 222).

28. Jan. 1, 1799.

29. 2 Gibbs 221, citing to Cunningham, Letter XXXIV.

30. Adams afterward said with justice that he embraced "a peace that . . . accomplished a predominant wish of my heart . . . ; which was to place our relations with France and Great Britain upon a footing of . . . impartiality; that we might be able to preserve . . . neutrality in all the wars of Europe" (*Boston Patriot*, Letter XVIII; 2 Gibbs 212).

31. To C. C. Pinckney, draft AL, Dec., 1799 (64 HLC); to Mrs. Washington, draft ALS, Jan. 12, 1800 (67 *ibid.*), printed 10 LHW 360-61. McHenry wrote H, "You and I . . . have our sorrows heightened by a recollection of his friendship towards us both, and the many days we have spent as members of his family and sharers of his confidence" (ALS, Dec. 18, 1799, *ibid.*).

32. To Martha as above; to Lear, copy, Jan. 2, 1800 (66 HLC). Lear notified H as quickly as possible, the day following Washington's death (ALS, Dec. 15, 1799 [63 HLC]), but the letter was delayed by H's absence in Phila., where he first had the news otherwise (H to Lear, above). H wanted to know of Lear where Washington's papers were to go, as "Our very confidential relation will not permit that to be a point of indifference to me." Lear reassured him; Bushrod Washington would hold all private letters of that nature as a "sacred deposit" (copy, extract, Lear to H., Jan. 16, 1800 [67 HLC]). It should be remembered that though of quick emotions, H was restrained as far as we have record about deaths that touched him most closely; he rarely spoke of his boyhood loss of his mother; he accepted the tragic end of his eldest son with perfect fortitude, though he had been emotional years before when John Laurens died.

33. Jan. 5, 1800 (10 LHW 358-9).

34. Sec. of State Pickering, announcing the death of Washington to J. Q. Adams, added, "The command of the army devolves of course on General Hamilton"; he was sure the new regiments would not be disbanded till our differences with France were ended (press copy, ALS, Jan. 17, 1800 [13 Pickering Papers MHS]). Cf. petition of Amelia Gary to H as "Commander in chief," March 6, 1800 (70 HLC). Jas. Wilkinson tempered his regret at the loss of Washington; "it must be a consolation to . . . the military, to find the chief command in Hands so able to administer the functions of the station." And he went on to the frankest of hints, "I

cannot more safely consign my own Interests, than to the . . . sensibilities of your . . . Bosom,—20 years a Brigadier, a *patient* one too, I pant for promotion. . . .” (ALS, private, Dec. 22, 1799 [64 HLC]).

35. ALS, Feb. 20, 1800 (69 HLC).

36. March 7, 1800 (6 JCHW 431); cf. ALS Lee to H, March 5, 1800 (70 HLC).

37. Izard to H, Feb. 25; H's reply Feb. 27, 1800 (69 HLC); cf. H to Wm. Smith, "Our military prospects in general, and mine in particular, are very uncertain" (March 11, 1800, 6 JCHW 432).

38. ALS, McHenry to H, Jan. 25, Feb. 18, March 7, May 14, 16, 1800 (67, 68, 70, 76 HLC).

39. LS, McHenry to H, March 7 1800 (70 HLC).

40. LS, Pinckney to H, March 28, 1800 (72 HLC).

41. ALS, Wm. North to H., April 7, 1800 (73 HLC).

42. LS, Feb. 11, 1800 (68 HLC).

43. To Sec. of War, Jan. 15, Feb. 17, 1800 (67, 68 HLC).

44. H to Sam. Hodgdon, March 26, 1800 (72 HLC); to Aaron Ogden, May 8, 12, 1800 (75 *ibid.*).

45. H to Pinckney, May 17, 23, 1800 (76, 77 HLC).

46. H to Paymaster Gen. Caleb Swan, May 19, 20, 1800 (76 HLC).

47. ALS, McHenry to H, May 12, 13, 27, 1800 (75, 76, 77 HLC).

48. June 1800 (77 HLC).

49. To Eben. Stevens, July 1, 1800 (77 HLC).

50. July 2, 1800 (*ibid.*). Thos. Y. Howe, who had been H's secretary for a year, thanked him for "conduct towards me . . . uniformly delicate and tender" (ALS, July 12, 1800 [78 *ibid.*]).

51. ALS, June 15, 1800 (77 HLC).

52. Burr, at this time completely in the camp of Jefferson, informed the latter: "our Three Senators for this district are undoubtedly elected. The Victory is complete and the Manner of it is highly honorable[;] on the part of the republicans there has been no indecency, . . . no personal abuse[;] on the other side, the influence and authority of office have been openly . . . prostituted and the town has been inundated with scurrility . . . issuing from federal presses. . . ." ALS, endorsed in J's hand Recd May 5, 1800, Huntington Lib.).

53. May 4, 1800 (6 JCHW 436).

54. Hamilton to Jay, May 7, 1800, *ibid.*, 438–40.

55. May 8, 1800, *ibid.*, 440.

56. May 7, 1800, *ibid.*, 437–8.

57. Discharge of the secretaries—of Pickering peremptorily, of McHenry less so—was announced to H in letters from them May 15, 1800, and from Sedgwick two days earlier (*ibid.*, 442–4). The latter called the action a bid for the loyalty of H's foes. As soon as he knew of their quitting the administration, H urged them "take with you copies and extracts to *explain* both *Jefferson & Adams*. You are aware of a very curious journal of the latter when he was in Europe, a tissue of weakness and vanity. The time is coming when men of real integrity & energy must unite against all Empirics[.]" To Pickering, [May 14, 1800] Pickering Papers, MHS.

58. To Sedgwick, May 10, 1800, *ibid.*, 441–2.

59. He left for New England June 7, 1800, was in Massachusetts four days later, and at Newport the 25th (from dating of letters, 77 HLC; by July 17, 1800, C. C. Pinckney was asking H's impressions from the trip). H at this period was receiving many political letters from trusted observers in different states, most of them predicting Federalist electors would prefer Pinckney over Adams; Cabot, canvassing all the states, forecast 67 votes for Pinckney, 65 for Jefferson, 59 for Adams (Aug. 10, 1800 [6 JCHW 453]; cf. R. G. Harper, June 5; J. A. Bayard, June 8; John Rutledge (from Rhode Island), July 17; McHenry to Wolcott, July 22; Richard Stockton, Aug. 9; Bingham, Aug. 24; Carrington, Aug. 30, 1800 [77, 78 HLC]).

60. July 1, 1800 (6 JCHW 446). By this time he knew conclusively that all of the New York electors would vote for Jefferson and Burr, which sharpened his anxiety to keep all New England in line for Pinckney as well as Adams; Connecticut and Vermont seemed safe. Cf. to Wolcott same day (*ibid.*, 444–5) and Aug. 6, 1800, to Jas A. Bayard (451–3). An example of the pro-Adams man encountered by H would be Noah Webster, who from New Haven remonstrated that Wolcott's friends should not pursue effectually their opposition to Mr. Adams, "for whatever faults may be seen in his character, he is our only hope in the present contest . . . I aver my decided opinion, that *his policy* in all essential points, has been more consistent with the true interest of this country, as well as with all the . . . maxims in . . . foreign relations . . . laid down by his predecessor, than the policy of his opposers" (copy, to Wolcott, Sept. 17, 1800, Webster Papers NYPL).

61. Aug. 6, 1800 (6 JCHW 451–53).

62. Copy, Bayard to H, Aug. 11, 1800, Bayard Papers, NYPL, and with typographical changes in 6 JCHW 455–8, where dated Aug. 18.

63. See to Wolcott, July 1, Aug. 3 (*ibid.*, 444–5, 449–50), and Pickering to Hamilton, May 15, 1800 (443–4). Both were more than willing to help.

Wolcott replied, "I will readily furnish the statement you desire, from a firm conviction, that . . . this government will . . . be ruined, [and] the disgrace will attach to the federal party [in case of] the re-election of Mr. Adams" (July 7, 1800, *ibid.*, 447). H's relations with his friends in Adams' Cabinet is illustrated in a caution of McHenry in sending him what was evidently an official paper. "Do not I pray you, in writing or otherwise betray the confidence which has induced me to deal thus with you or make extracts or copies. I hope you will acquiesce in the necessity which seems to govern. . . . Return the papers immediately" (ALS, Aug. 6, 1798 [31 HLC 4379]).

64. Cabot to Hamilton, Aug. 21, 23; Ames to same, Aug. 25, 1800, *ibid.*, 458 ff. See sprightly, knowledgeable letters of Ames to King: "There is no doubt that our Legislature was strongly disposed to chuse Electors to vote for Adams & P. But since a certain Great man [Adams] returned from the seat of Gov^t the clamor is loud that he is to be . . . tricked out of his place. The Essex Junto are cursed. . . . Unless the Federalists unite and run the *two* Federal candidates, Jeff: will have more than either of them. . . . Everything smoaks with political fermentation. . . ." (AL, Aug. 19, 1800, King Papers, NYHS; and again, Aug. 26, "Mr. Jeff's election seems . . . almost certain unless the electors will stand to the agreement made at Philadelphia to vote for *both*").

65. Aug. 3, 1800, *ibid.*, 450. After drafting the letter he wrote Wolcott, with no appreciation of the election bomb he was exploding, "Decorum may not permit going into the newspapers, but the letter may be addressed to so many . . . men of influence, as may give its contents general circulation" (Sept. 26, 1800 [10 LHW 390]).

66. Wolcott to Hamilton, July 7, Oct. 1, 2 (*ibid.*, 447-8, 470, 471-75).

67. To H, Sept. 3, 1800 (2 Gibbs 416-18).

Chapter 24 (Pages 474 to 487)

Attack on John Adams

1. *Letter from Alexander Hamilton, Concerning the Public Conduct and Character of John Adams, Esq. President of the United States*. New York: Printed for John Lang by George F. Hopkins, 1800, Copy-right secured, 54 pp. (This is first ed.; NYPL has H's presentation copy to Gov. Strong of Mass., with autograph note at end, "not to go into News Papers." It was soon reprinted in Phila. "pro bono publico." LC has copy of 2d ed., NYPL several copies of 3d ed., one with copyright date Oct. 22, 1800. A critic

said several thousand copies were printed, were advertised in newspaper 2 months before election (*Vindication of Adams*, 16, see below).

2. Charles Francis Adams ventured that H's antagonism toward John Adams went back more than twenty years to the supplanting of Schuyler by Gates in the northern command and the cabal against Washington, with both of which Adams was identified in H's mind. H's suspicion "had no consequences at the time. But its effects became perceptible . . . later. . . ." (1 *Works* of J. Adams 246).

3. McHenry to H, May 12, 1798 (6 JCHW 282).

4. Henry Adams, ed., *Documents Relating to New-England Federalism*, 149-51.

5. G. Morris, Dec. 8, 1799, to Washington, Sparks, 3 *Morris* 123-5; Washington to Trumbull, July 21, Aug. 30, 1799, G. F. Fisher, 2 *Benj. Silliman*, Appendix, 381-86.

6. ALS, Sept. 26, 1800, 31 King Papers NYHS; however, he conjectured votes would be Pinckney 75, Jefferson 71, Adams 67. Ames to King (in England), closing an account of Adams' eccentricities, "In particular he is implacable against a certain great little man [Hamilton] whom we mutually respect" (Sept. 24, 1800, King Papers, NYHS). George Cabot when he was sure "that the government, must in a little time, be exclusively in the hands of the opposition," asked "Who is to blame for all this? The men who sincerely supported Mr. Adams, or Mr. Adams, who insincerely deserted his supporters?" (to King, Dec. 28, 1800, 31 King Papers, NYHS). J. Hall blamed "the feuds & animosities which have had their full scope with our prominent federal men" (to same, Dec. 29, 1800, *ibid.*). These and other leaders were not unduly downcast at the result; cf. McHenry to King, Dec. 18, 1800, *ibid.*

7. "Why," Adams inquired of Wm. Tudor, "do you call our National Government a federal Republic? . . . Are the separate States . . . Sovereign & Independent? If they are we had all better go home" (June 12, 1789, J. Adams microfilm, Reel 115; cf. to B. Lincoln, June 19, again to Tudor, June 23, 1789). If governors took rank of pres. and vice pres., "this would give a decided superiority to the State Governments and annihilate [*sic*] the sovereignty of the National Government" (to Lincoln, May 26, 1789). He regretted that "there are too many symptoms of old Colonial habits and too few of great national views" (to R. Peters, June 5, 1789). Dr. Rush must "allow a limited monarchy to be a republican system . . . and the best that ever has been tried" (June 11, 1789). Though later (to the Recluse Man, Oct. 10, 1792) he denied he held such sentiments, he told Jas. Lovell that he conceived of "no . . . adequate title [for the President] than that of MAJESTY" (June 16, 1789). Adams assured that his principles of govt. were constant: ". . . if I have ever acquiesced in measures more Democratical it was in compliance with . . .

a despair of resisting the fury of a popular torrent excited by men . . . ignorant and blind. . . ." (to J. Trumbull, March 12, 1790).

8. Cf. Burke, *Reflections on French Revolution*, Everyman's ed., 59: ". . . the objects of society are of the greatest possible complexity: and therefore no simple disposition . . . of power can be suitable. . . . When I hear the simplicity of contrivance . . . boasted of in any new political constitutions I . . . decide that the artificers are grossly ignorant of their trade. . . . Political reason is a computing principle. . . ." The first disciple of Hamilton who elaborated on the theme of public administration was Friedrich List; after his time increasing intervention of government in social life in capitalist countries, not to speak of government's role in planned economies, made administration and administrative law main areas of polity and jurisprudence.

9. 7 LHW 314.

10. *Ibid.*, 316-17. His election as Vice Pres. "was not a subject of . . . congratulation, it was rather a mortification to me. . . ." (to Arnold Weller of Boston, May 21, 1789, Adams microfilm, 115). He blamed "a dark and dirty Intrigue . . . in order to spread a panick lest I should be President and this Maneuvre [*sic*] made Dupes even of two Connecticut Electors. I am well aware that this Plot originated in New York. . . ." (to B. Rush, June 9; cf. to Sergeant, May 22, 1789; to Counsellor Trumbull, Jan. 23, 1791). And again to Rush: ". . . ask your own heart is not my Election to this office in the wrong[?] manner it was done, a Curse rather than a blessing? Is it not an indelible stain on our Country . . . & Constitution? I assure you . . . nothing but apprehensions of . . . the final failure of the Govt from my refusal . . . prevented my spurning it" (May 17, 1789). He felt he must "dilate a little" upon his pride of family. "My father, Grand father[,] Great grand father and great great grand father were all inhabitants of Braintree and all independent country gentlemen. I mean officers in the militia and deacons. . . . My mother was a Boylston, one of the richest families in the Massachusetts for about a hundred years, and . . . not obscure. . . ." (to J. Trumbull, March 9, 1790; March 12 to same he traced his ancestors back to Saxon times).

11. Adams early said the only security against separation of national and state creditors was "for Congress to take upon itself to pay all the State Debts" (to Sergeant, May 22, 1789, Adams microfilm, 115). "The Secretary of the Treasury is so able, and has done so well that I have scarcely permitted myself to think . . . whether he could or could not have done better." If anything, Adams wished he had been bolder (to Counsellor Trumbull, March 31, 1791). "The funding system is the hair shirt . . . our sinful country must wear as a propitiation for her past dishonesty. The only way to get rid of speculation is to hasten the rise of our stocks to the standard beyond which they cannot ascend" (to H. Marchant, March 3, 1792).

12. 7 LHW 318-21.

13. ALS, Marshall to Rufus King, April 19, 1796 (28 HLC 3880-81).

14. King to H, May 2, 1796 (6 JCHW 113).

15. To King, May 4, 1796 (28 HLC 3898), using initials "P.H." H would do all possible to have King replace Pinckney as minister to England. Burr, Nov. 21, 1796, considered "Adams has . . . no chance, the race will be between Jefferson and Pinckney" (ALS to Oliver Phelps, NYSL).

16. Copy, March 5, 1797, NYSL.

17. *Ibid.*, April 7, 1797.

18. 7 LHW 322-29.

19. For a bald account of the bribery invited by the French, see ALS, C. C. Pinckney to Pickering, giving Gerry's account of what passed when he was guest of Talleyrand at Paris (ALS, [1798] 23 Pickering Papers, MHS).

20. A correspondent of Madison credited vox populi "that we were not drawn into the destructive vortex although menaced with the wrath of God by Mr Adams who impiously declared 'the Finger of Heaven pointed to War' at a time when his Partizans were almost uncontrollable" (J. G. Clarkson, Dec. 19, 1801, Madison Papers, NYPL). The bias of Monroe made him attribute the worst to Pres. Adams' intentions. He wrote to Jefferson, "I think [the administration] will take precisely the course w'ch. will be best calculated to promote a rupture with France & overthrow our own govt" (Feb. 12, 1793 [3 *Writings* 100]). Rufus King, observing the war from his station in London, regularly urged that the United States present a resisting front to France. He not only anticipated the Monroe Doctrine, but hinted that we should improve the opportunity for territorial expansion. We should adopt "a bold and active system" that "would promise the acquisition of great and lasting advantages. The destiny of the new world . . . is in our Hands . . . and it is our Duty . . . to act . . . as Principals." He added in evident derision that "Gerry still hangs about the Directory!!" (ALS to H, July 31, 1798 [31 HLC 4359 A, B]). Adams directed payment of salary to Gerry to cover his extended stay in France, which "after the publication of the dispatches was not gratuitous but of indispensable & unavoidable necessity under the paws [?] of arbitrary power. . . ." (Quincy, Aug. 3, 1799, to Sec. of State, J. Adams micro. 120).

21. 7 LHW 329-37. Sedgwick in the Senate helped inform, perhaps influence H's estimate of Adams' conciliation of France. When Murray was nominated, Sedgwick examined such of his diplomatic reports as were available, though they showed more integrity than wisdom. Circumstances of the nomination illustrated "the wild & irregular starts of a vain, jealous, and half frantic mind. . . ." The Senate committee, of which Sedgwick was the messenger, would seek to induce the President "to alter [his nomina-

tion] as it respects the person & instead of an individual to propose a commission. . . ." Principles of the negotiation and the scene within which it should be conducted were other subjects for discussion. "On all these points I am told . . . he has formed strong opinions." If Adams was inflexible, probably Sedgwick, though not the majority, would vote against the appointment (ALS to H, Feb. 22, 1799 [35 HLC 4903]). Liston, the British minister, told Grenville the Federalists were "thunderstruck" at President Adams' "precipitate and unseasonable" appointment of Vans Murray to make fresh overtures to France (Feb. 22, 1799, British State Papers). Cf. same to same, March 1, 4, 1799, exaggerating discomfiture which H (not named) felt. *Aurora* (April 16, May 2, 9) said Federalists deserted Adams at this mark of his humanity. "The man who moves the puppets [H] was extremely offended at Murray's nomination. . . ."

22. 7 LHW 338-9; for startling coincidence of statement, Burke, *French Rev.*, 165. H wrote: "The greatest genius, hurried away by the rapidity of its own conceptions, will occasionally overlook obstacles which ordinary men will discover, and which, when presented to his consideration, will be thought by himself decisive objections to his plans." And Burke: ". . . I have . . . co-operated with great men; and I have never yet seen any plan which has not been mended by the observations of those who were much inferior in understanding to the person who took the lead in the business." Jas. Constable had early accurate information from Troup that Adams designated Vans Murray for a new attempt with France, omitting to seek advice from the Cabinet and thereby producing disgust (to Wm. Constable in Europe, Feb. 23, 1799, Letterbook NYPL); two days later Pickering gave H word of Adams' peremptory determination on "the degrading . . . measure of sending another minister to France" (6 JCHW 399).

23. ALS, N.Y., June 27, 1799.

24. Thus from Quincy, Adams wrote to Stoddert, Sec. of the Navy, Sept. 4, 1799, in reply to urgent request of the Cabinet that he join them at Trenton before the envoys should depart: the journey would be inconvenient for him and his family, Trenton afforded no proper quarters for them. "The terms of accommodation with France were so minutely discussed by us all, before I took leave of you at Philadelphia, that I suppose there will be no difference of sentiments among us." However, if the ministers were at variance, he would come at all events. He was quite prepared to suspend departure of the envoys (Adams microfilm, 120).

25. 7 LHW 340-46. When both President Adams and Hamilton were planning a commission to go to France, Uriah Tracy was against any overture; "it would commit the whole of our national dignity, to be trampled upon by that haughty & accursed Nation. . . ." If the Southern states insisted on what he called "the chains of French fraternity," rather than putting this country in a posture of defense, he was for separation of the North (ALS to H, April 6, 1797 [29 HLC 4121-2]).

26. ALS to John Binns, Nov. 26, 1812 (Morristown Hist. Mus.).

27. Copy, Oct. 6, 1799 (56 HLC); cf. to same effect, same date, to C. C. Pinckney, and Oct. 7 to Jas. Miller, *ibid.*

28. Cf. Oct. 11 on recruiting in Delaware; Oct. 12 on organization of four old regiments into one division and two brigades, on construction of huts, and McHenry to H, Oct. 19, 1799, giving President's approval of these plans (*ibid.*).

29. Copy, Oct. 21, 1799 (57 HLC 9229).

30. ALS, Oct. 27, 1799 (58 HLC); C. C. Pinckney presumed sailing of the envoys "must be a very deep measure;—much too profound for my penetration" (ALS, to H, Oct. 25, 1799, *ibid.*).

31. ALS, confidential, Nov. 10, 1799 (60 HLC). The Federalists supplied the opposition with objects of complaint, such as aid to Toussaint, favoritism to merchants supplying him, and the charge that Dr. Stevens, our envoy, used his position to monopolize Santo Domingan exports. Further, Dallas was said to have a letter of Adams to Tench Coxe ascribing appointment of Thos. Pinckney to England to British influence. Duane's defense might rest on this damaging admission. (Cf. ALS, J. Cass to H, Nov. 11, 1799, with forebodings from "The success of the democratic, alias, disorganizing party, in a late election. . . ." *ibid.*)

32. 7 LHW 346–61, 364–5.

33. *Ibid.*, 361–64.

34. Nov. 13, 1800 (6 JCHW 477–8), cf. McHenry to Wolcott, Nov. 19, Dec. 2, 1800, 2 Gibbs 447, 456. Pickering, after leaving office, buried himself so deep in the Western woods that he received the request for more ammunition too late to respond (to H, Dec. 14, 1800, *ibid.*, 484–5).

35. *Ibid.*, 478–80 .

36. Nov. 29, 1800, *ibid.*, 480–82; he hoped H was not offended by this frankness (to Wolcott, Nov. 28, 1800, 2 Gibbs 449).

37. *An Answer to Alexander Hamilton's Letter, concerning the Public Conduct and Character of John Adams.* By A Citizen of New-York (N.Y., 1800, 32 pp.), p. 10.

38. *Ibid.*, p. 7. "Whilst Secretary of the Treasury, was it not your earnest endeavour to assimilate our government to that of Great Britain? She offered you a system of Finance that has drawn tears from miserable millions, and you servilely adopted it. . . . it has filled this infant republic with stock-jobbers, speculators, and peculators . . . and left [the hoary soldier] to wander with his family and his wounds on an unfeeling world, whilst the friends of Moloch and of George are seated in triumph. . . ." (p. 4).

39. *Ibid.*, 5.

40. *Ibid.*, 18, 19.

41. *Ibid.*, 19, 25.

42. *Ibid.*, 27 ff., 30.

43. *A Letter to General Hamilton Occasioned by his Letter to President Adams*, 5.

44. *Ibid.*, 1. Pickering was blamed for advocating, 1798, offensive and defensive treaty with Britain; perhaps he and McHenry were dismissed because of this advocacy; they had patronized Cobbett who was shown to be agent of British ministry (2-4).

45. *Ibid.*, 7-8. Danger of invasion was chimerical; army, which H wanted to make larger than the 12 regiments, involved country in needless expense; it was known that H promoted army to crush possible civil dissensions (4-5).

46. *Ibid.*, 5-6.

47. *A Few Remarks on Mr. Hamilton's Late Letter, concerning . . . the President*, by Caius.

48. *Ibid.*, 3-4.

49. *Ibid.*, 8.

50. *Ibid.*, 16. A "Federal Republican" ("Cincinnatus") in his *Reply to . . . Hamilton's Letter, Concerning . . . Adams* contented himself with correcting supposed errors of fact. Another said he did not take hearsay for truth about H, so H should not mistake Adams. This author (Rev. Uzal Ogden) knew he could rely on H's blot on his own moral character; at first promising to abstain, this clerical critic then expatiated on marital infidelity (*A Letter to . . . Hamilton Concerning . . . Adams*. By a Citizen of these States).

51. P. 21. The result was that "Distrust and astonishment pervade the federal party. Each man gazes with an eye of vacancy upon his neighbor—undecided whether to rally round the standard of Adams or Hamilton" (3).

52. *Ibid.*, 13; only explanation of this paradox was that H feared Adams' friends would desert Pinckney (14).

53. *Ibid.*, 23. The critic Cheetham's study of the American record was too quick to save him from omissions; e.g., "point out the military field where you reaped a laurel or merited an ovation." See of similar sort Anthony Pasquin (John Williams), *The Hamiltoniad*, 10 n.; H's attack on Adams is "proof that when thwarted in the career of his ambition, he would suffer his irascibility, perhaps his malice, to frustrate . . . his cooler desires,

and unravel the hard-wrought web of his own party! In its principle it is vindictive; in its expression uncharitable, and . . . detrimental to *Anglo-federal policy*."

54. ALS, to Jedediah Morse of Mass., Nov. 28, 1800 (Morristown Hist. Museum).

Chapter 25 (Pages 488 to 517)

Do Not Compound with Burr

1. To Hamilton, Aug. 10, 1800 (6 JCHW 454). Charles Carroll would give no help, but speculated that "Burr will probably act with more decision than Jefferson, if elected President, and will go on better [act more moderately] with his party, but will not Jefferson be afraid to disoblige his party, and . . . be driven to measures which his own judgment would reject" (to H, Aug. 27, 1800, *ibid.*, 468).

2. To King, Dec. 27, 1800, King Papers, NYHS.

3. Jan. 5, 1800 [1801]. In case of war with a European power, Burr would conduct it with more energy.

4. Observing that many found reasons to take Burr, Gouverneur Morris told H: "You are better acquainted with characters and opinions than I possibly can be; and your ideas will have weight on the minds of many here, should you think proper to transmit them. . . . The subject is certainly of high consideration. . . ." (Dec. 19, 1800 [6 JCHW 494]). Otis referred to H the question whether the Federalists should enter into a negotiation with Burr, perhaps bring him to Washington for the purpose, adding "few of us have a personal acquaintance with Mr. Burr." He solicited H, from local knowledge, "to give an opinion upon a subject in which all the friends to the country have a common interest. . . ." (Dec. 17, 1800, *ibid.*, 490).

5. For H's firsthand knowledge of Burr's financial embarrassments, see Burr's importunities to Louis LeGuen for a loan of \$25,000 on second mortgage to allow him to discharge other debts. LeGuen was the client of both Burr and H (ALS, Burr to LeGuen, Jan. 18, 27, Feb. 4, March 10, 1799, Huntington Lib.). "I have written to Gen^l Hamilton . . . the purpose for which the note of D & L'H was given and the reliance which was placed on your assurances for taking it up. . . ." (March 12, 1799); cf. H to Ezra L'Hommedieu, April 4, 1799 (copy in H Papers NYPL), and LeGuen to H, May 1, 1800 (AMH 171-2). When H passed strictures on Burr's private character and warned that the man was irredeemably bank-

rupt, he spoke from personal knowledge gained, if not otherwise, in cases for clients. Burr, in debt to LeGuen, had scraped from hither and yon to make up collateral, including in one instance assignment of five leases, one mortgage, conveyance of one-eighth interest in a land tract held by Nich. Oliver, and two promissory notes (receipt by H on letter of instructions from Louis LeGuen, Jan. 15, 1801 [83 HLC]). For a debt of Burr near time of duel, see his ALS to H, Nov. 15, 1803, Huntington Lib. LeGuen, settling with Burr for legal services in a case which H knew intimately, paid two-thirds of the sum to Burr's creditors (receipt of Burr, 1798, Huntington). At conclusion of LeGuen's case he asked H to aid him in settling with Burr, whose debt to LeGuen was \$13,200, and overdue (LeGuen to H, May 1, 1800 [AMH 171]). Earlier, Alexander Baring cautioned that property Burr proposed transferring as security for his debt to Angerstein was insufficient; H should delay proceedings, letting Burr know of Baring's misgivings (ALS, Baring to H, Nov. 16, 1797, *ibid.*, v. 4, 2d ser., 426). Burr's diversion of trust funds of a client had been charged in political handbills (handbill coll., NYPL). On Burr's financial obligations to LeGuen, of which H had knowledge because Burr's collateral was deposited with him, uncertain light is thrown in letters of Burr to his client-creditor Oct. 8, 1802, and, after H's death, July 31, Nov. 20, 1804, April 13, 19, June 16, 1805, June 19, 1817, Huntington.

6. Dec. 24, 1800 (10 LHW 400-01). He spelled out these demands upon Jefferson in a similar letter to Sen. Jas. Ross, including "The preservation in office of our friends, except in the great departments, in respect to which and in future appointments he ought to be at liberty to appoint his friends" (*ibid.*, 407). On Jefferson's appointments to Cabinet and some lesser posts, see ALSs, Burr to Rodney, March 5, to Sam'l Smith, March 24, April 4, 1801 (Huntington Lib.). A long-disappointed Republican of Pittsburgh, rejoicing at defeat of Federalist tyrants, appealed to Madison for place of Nevill, insp. of rev., or Wilkins, quartermaster: "It is reported here, that they will both be removed; and if envenomed rancour, low vulgarity, and deep duplicity, and intrigue, against . . . *the friends of freedom*, merit a removal, they do" (ALS, A. Fowler, Feb. 19, 1801, Madison Papers, NYPL). Charles Pinckney demanded replacing collector at Charleston with a Republican; "after all our struggles . . . to get the upper hand We do not like to see our . . . virulent enemies still holding the influential offices. . . ." (ALS, July 22, 1801, *ibid.*).

7. To H, Dec. 25, 1800, 2 Gibbs 460. See Marshall to H, Jan. 1, 1801. 6 JCHW 501-3. Pickering was compliant: "The votes for . . . Jefferson and Burr are equal, and many of the federalists talk of supporting Col. Burr as President. I have doubts whether the election of Mr. Burr can or ought to be accomplished. I have heard many ingenious arguments on this subject . . . but as I am happily not obliged, like members of Congress, to choose what I do not like, I shall content myself with submitting to the decisions of others" (to Wolcott, Dec. 28, 1800, *ibid.*, 461).

8. H could not believe that Sedgwick had fallen from his expressed preference for Jefferson, but it was true (cf. H to Wolcott, Dec. 17, 1800; to Sedgwick, Jan. 21, 1801 [10 LHW 393, 420-1]; Lodge's note, 393, is mistaken).

9. Bayard to H, Jan. 7, 1801 (6 JCHW 505-7). Said Cheetham (an unreliable witness, however), "General Dayton declared since the election that if all the votes of Pennsylvania had been republican it was a fixed plan for New Jersey to give [Burr] as many votes as would have made [him] President" (*Letters on Burr's Political Defection* (1803) 32). H was by no means willing, as was the easygoing McHenry, to trust to fortune when numerous Federalists gave signs of favoring Burr over Jefferson for the Presidency. McHenry lamented the defeat of Federalist candidates, mainly Pinckney, but thereafter was detached. He wrote to King in London: "It is now officially ascertained that Mr Jefferson & Burr have each 73 votes . . . , consequently that the House must decide between [them]. If the House . . . should choose Mr Jefferson we . . . have to apprehend a change in some most essential points of our Government. . . . If Mr Burr succeeds, we may flatter ourselves that he will not suffer the Executive power to be frittered into insignificance; but can we promise ourselves, that he will not continue to . . . depend upon his own party, for support? These are problems we must leave to time to solve." He quoted a newspaper correspondent's advice, "Whatever happens, think that it ought to happen, and cast no reproach upon nature." Federalists with whom he had talked seemed determined to run Burr notwithstanding his public disclaimer of competition with Jefferson. "They think they understand Burr, and that he will not be very angry at being aided by the Federalists to outwit the Jeffersonians. . . . the opposition are in . . . violent . . . apprehension least Mr Jefferson should not be chosen" (LS, Jan. 2, 1801 [31 King Papers, NYHS]). Even Cabot was for a bargain with Burr if Jefferson proved resistant: "the Federalists in general are for Burr & great efforts are making to secure his preference in the house. I think . . . they will not succeed & . . . ought not *unless Burr will & Jefferson will not* previously engage to uphold essentially the existing policy" (to King, Jan. 28, 1801, NYHS). Ellsworth, having just signed the treaty with France which many thought lost Adams the election, was taking the waters of Bath for the gravel, but could contemplate Jefferson's Presidency with composure: "he dare not run the Ship aground, nor essentially deviate from that course which has hitherto rendered her course so prosperous" (Jan. 24, 1801, Ellsworth transcripts, NYPL). Cf. Eben Potter to Madison, "after the decision in favor of Mr. Jefferson . . . the federalists, learning his talents, and the rectitude of the Administration which would ensue, were making room to come about, by discovering many valuable things in his character which they could not see previous to that event" (May 9, 1801, Madison Papers, NYPL).

10. Same to same, March 8, 1801, 6 JCHW 523.

11. Dec. 16, 17, 1800 (10 LHW 392-97).

12. Dec. 26, 1800, *ibid.*, 401.

13. Dec. 27, 1800, Jan. 16, 1801 (10 LHW 402-04, 412-19).

14. To Bayard, Jan. 16, 1801, above. For Jefferson's acceptance of responsibility in central government, cf. ALS, to Gov. Fenner of R.I., May 26, 1801: "to the United nation belongs our external and mutual relations: to each state severally the care of our persons, our property . . . and religious freedom." (facsimiles 367, RIHS).

15. 6 JCHW 405.

16. *Ibid.*, 406.

17. *Ibid.*, 402.

18. *Ibid.*, 417. Cheetham's commentaries are suspect unless supported from reliable sources. His description of Burr's political career and character accords with Hamilton's knowledge: "As a politician you have been wavering and inconstant. You have veered with every gale that promised you a harbour to gratify your boundless ambition. Fickle in disposition, you have shifted with every adverse blast. . . . The federalists have viewed you as an enemy in the republican camp. . . . they were not mistaken." Burr was selfish, inordinately and corruptly ambitious, scheming, guilty of odious conduct, "uniform only in the pursuit of whatever had a tendency to raise himself to power (*Letters on Burr's Political Defection* [1803], 11, 23). Cf. ALS, Theodorus Bailey (in Congress, Washington) confidential to Gov. Clinton, Dec. 27, 1802: Burr's political reputation ebbed. "He is generally considered [an?] Intriguer among all parties" (27 Clinton Papers 7073, NYSL).

19. Bayard to H, March 8, 1801, above.

20. A generation later, Bayard's son wished to publish two letters of H to his father, preferring Jefferson over Burr, "as I think they do him infinite honor, exhibiting the sincerity of his attachment to the existing institutions[,] his discrimination of character and loftiness of mind" (Richard H. Bayard to Jas. A. H, Wilmington, Jan. 9, 1830, NYPL misc.). JAH was disinclined to see them printed.

Cabot approved H's choice of evils, writing to that other stout Federalist King, "We are all tranquil as they say at Paris after a Revolution. Mr Jefferson's conciliatory speech is better liked by our party than his own. how he will act remains to be proved, but hopes are entertained now which could not have existed if his speech had partaken of the temper of his party. a large majority [of Federalists] are better satisfied than they would have been with a Reelection" (AL, March 20, 1801 [31 King Papers NYHS]): And some months later, in New England "the disposition to maintain the national union & Govt is cultivating with much zeal. Wolcott leaves his office in excellent order; the public creditors are safe against everything but total Revolution" (same to same, Dec. 28, 1801, *ibid.*). Another Massachusetts Federalist was differently reconciled. "When I reflect on the

political situation of our Country, I am sick at heart! I believe however, with you, that 'we shall not founder.' if the recent triumph of the Jacobins would rouse the fed^s from the . . . lethargy in which for some time they have been shamefully plunged, it might prove a blessing rather than a curse. . . ." (ALS, Daniel Greenleaf, Quincy, to Noah Webster, March 9, 1801, Webster Papers, NYPL). Pickering, years later, recorded his disagreement with H in preferring Jefferson to Burr for President. "Hamilton entertained a very ill opinion of Jefferson; thinking him extremely deficient in political integrity, and even of a courser [*sic*] moral sense," but may have made some allowance because he was "a Visionary." Pickering, however, felt that had Burr been made President "no public mischief was to be apprehended from him" because his own party, committed to Jefferson, would have hampered while Federalists kept strict guard. Randolph of Roanoke (not a calm observer) in 1816-17 told Pickering that Jefferson's "character, on the page of history, will appear black as hell." (47 Pickering Papers, "Memoranda" 49 ff., MHS).

21. ALS, June 28, 1798 (7 Wolcott Papers, CHS).

22. ALS, Dec. 9, 1800, Livingston Papers, NYHS.

23. Contemp. copy, to Samuel Smith, Dec. 16, 1800 (Huntington Lib.).

24. Same to same, Dec. 29, 1800, *ibid.* Earlier, when certain of Jefferson for first place, he thought Adams would be second, adding "The matter of V.P.—is of very little . . . consequence" (to Livingston, Sept. 24, 1800, NYHS).

25. ALS, to R. R. Livingston, April 20, 1801, Livingston Papers, NYHS.

26. AL, May 10, 1801, to King, 31 King Papers, NYHS. Cabot thought King "might have been carried with certainty had he been on the spot," but considered his services more essential as minister in London.

27. "An Address to the Electors of the State of New-York": reprinted, April 1801, 23 pp. (N.Y. Soc. Library, also in 8 LHW 223 ff.).

28. 8 LHW 229 ff. On Sedition Act he avoided particulars by referring to the debates in Congress, but approved court cognizance "of those slanders against the principal officers and departments of the Federal Government, which at common law are punishable as libels. . . ." But he added, three years in advance of his fixing of this in the *Croswell* case (see below) "with the liberal . . . mitigation of allowing the truth of an accusation to be given in exoneration of the accuser" (238).

29. *Ibid.*, 225, 240-41. H's friend Wolcott (nearly two years later) thought Jefferson would be discarded by N.Y. Democrats, torn by factional strife. "Jefferson is secretly despised and the moment a new combination can be formed, he will be consigned to the contempt . . . which he merits. The only question is . . . how he can be disposed of without ruining the

Party & surrendering the Gov^t to the Federalists" (copy to Tapping Reeve, Dec. 20, 1803 [53 Wolcott Papers, CHS]).

30. Often originals were sent to the printer, and destroyed. The *Papers of Alexander Hamilton* (H. C. Syrett, ed.) will include as many as may be dependably attributed to him.

31. AMH 71-2. Hamilton had supported Coleman for appointment as clerk of the New York Circuit over a rival of more age and prior public standing. The council expected much from his reports, and advised giving him the office as necessary to that work. Jay was a little apprehensive, and urged Hamilton to admonish Coleman not to disappoint (Jay to H, March 13, 1800, Columbia Univ.).

32. ALS, to Webster at New Haven, Sept. 21, 1801, Webster Papers, NYPL).

33. ALS, Oct. 13, 1801, *ibid.* A week later Bayard suggested that notice of his connection with Webster's press might say that while the papers "adhered to the support of those principles by which they have ever been guided—viz., a real attach^t to the federal interest &c they at the same time would treat with respect even what they regard as the *errors* of their fellow citizens. . . ." (same to same, Oct. 20, 1801, *ibid.*). Webster's census of newspapers, mostly weeklies, at this time—replies are here—revealed that most had circulation of 400 to 500; many had been discontinued at times. While the N.Y. *American Citizen* (Cheetham) greeted Coleman as "the Generalissimo of federal editors," because of his talents, correct mind, extensive reading, etc., Federalists were warned not to push the "lesser orb," Noah Webster, out of favor altogether or they "may place him in the anti-federal scale" (Nov. 23, 1801). Six months later Jas. Kent, though not among founders of the *Ev. Post*, confessed to Webster that he had "wished to see a Federal Paper in N York conducted with more . . . attention, ability & Spirit than yours had been for some time prior to its re-animation in consequence of competition" (AL, sig. cut out, May 14, 1802, Webster Papers, NYPL). Two years more, and the purchaser of Webster's paper, "with its debts & ruined character," could not pay in full the \$5,000 he contracted for. "You were . . . treated very shamefully by men in this City, on whose friendship & continued patronage you had a right to calculate." News and advertisements were refused him, given to Coleman (ALS, Z. Lewis to Webster, April 12, 1804, *ibid.*).

34. ALS, Nov. 30, 1801, to Sec. of State Madison, Webster Papers, NYPL.

35. This opening number, despite shortage of space, printed by request a piece beginning, "The immortality of the soul remains unsupported by any evidence. . . ." The editor in a little sermon on Christian faith re-proved this dangerous unbelief, implying that Republicans, allying themselves with those of libertarian politics, encouraged avowed enemies of the Christian religion. A letter from Annapolis deplored election of Mercer

as governor, but hoped the people would "return to . . . attachment to the Constitution . . . as they continue to be in . . . New-England." The *Ev. Post*. was published at 40 Pine St., was of two sheets, five columns each; in addition to the daily it would be the *N-Y Herald* appearing Wednesday and Saturday as a country paper.

36. Dec. 5, 1801, 4 King's *King* 28. Due to the "general current of opinion agt. him" Eacker had not since "made his appearance at the bar."

37. Said the *Am. Citizen and Gen. Adv.* (Cheetham), "We do not remember ever to have seen assembled so vast a concourse of people upon the occasion." Every countenance, opined the editor, "very sensibly expressed this idea:—'We are now celebrating . . . the restoration of our *mangled* constitution.' " After the oration and ode, and marching in honor of Gov. Clinton, came dinner and toasts to the President (with verses deriding deceptions of Federalist politicians), Clinton ("the father of our state") and damnation to the late Alien and Sedition laws (July 6, 1801).

38. *An Oration delivered at the request of the officers of the brigade of the City and County of New-York . . . , Fourth of July, 1801. . . .* 13–15.

39. *Am. Citizen*, N.Y., this date; it was to be a West Indian evening, for added to the main attraction was "A grand Pantomimical Drama . . . Founded on a fact, which occurred . . . in the island of Jamaica," complete with planters, slaves, soldiers, Negro robbers.

40. See *N.Y. Ev. Post*, Nov. 24–28, Dec. 1, 1801; *American Citizen*, Nov. 25, 26, 1801. These papers (Coleman, editor of the *Post*, much attached to H, and Cheetham, of the *Citizen*, as much opposed) differed on some points in their accounts. After an exchange of invectives, each published a statement from persons conversant with the affair, that in the *Post* having approval of J. B. Church. For the habitual warfare between these editors, in which this duel formed an item, see J. W. Francis, *Old New York*, 335 ff.

41. Thomas W. Rathbone to his sister Eunice, Nov. 21, 1801; original in possession of Mrs. Chas. H. Davis, Cheshire, Conn. I owe a copy to the kindness of Dr. Eunice Rathbone Goddard of New Salem, Mass. ". . . before the time appointed for the meeting . . . General Hamilton heard of it and commanded his son, when on the ground, to reserve his *fire* 'till after Mr. E. had shot and then to discharge his pistol in the air." "Cooper the Player" was second to Eacker, David Jones to Philip.

42. Mrs. Church wrote before the funeral, "my sister is a little composed" (AMH 213).

43. ALS, to Mrs. H, Dec. 6, 1801 (Morristown Hist. Mus.). Six weeks later he was glad to know from her that Philip went to the field "with a full determination to preserve" the life of his antagonist. He begged for her "such . . . calmness in your mind, as that your health may not be injured

and Ultimately . . . restore you to peace. . . ." "You . . . have the Most . . . important duties to perform as the consort of that best of men, whose happiness depends on your weal . . . Exert therefore . . . that energy, which was so conspicuous in you[,] ride out frequently, and collect . . . friends about you, that your thoughts may be diverted from painful reflection" (ALS, Feb. 19, 1802, *ibid.*). He was similarly solicitous as her lying-in approached, and was relieved when he could congratulate H that mother and child were in health (ALS, April 5, July 15, 1802, *ibid.*). Among condolences which the Hamiltons received was a feeling letter from Dr. Benjamin Rush whose quick sympathy rose above old political differences. His appreciation of Philip, who had given pleasure in the Rush family, was discerning (ALS, Nov. 26, 1801 [83 HLC]). In his acknowledgment H asked to have a letter of Philip to Rush's son. H showed a religious resignation and despair of the world which marked others of his confidences at this time (ALS, Feb. 12, 1802, *ibid.*, and complete in 6 JCHW 527). John Dickinson, with whom H had earlier clashed, sent a Quaker's condolence (ALS, Nov. 30, 1801 [83 HLC]). The unfailing McHenry had special understanding, for he too had lost his eldest child (Dec. 4, 1801, *ibid.*). Rufus King from London, with secular realism, hoped for "consolation . . . among the treasures of your own mind, which nature has so eminently endowed" (ALS, Jan. 12, 1802, *ibid.*). Of different sort, but well meant, was the regret of young G. W. P. Custis, who had known Philip at Columbia, and praised defense of honor (Dec. 5, 1801, *ibid.*).

44. Soon after entering practice H, on one of his trips, hearing that the house in which they lived at 57 Wall St. was for sale, authorized his wife to offer £2,100 for it; if necessary he would pay the whole in three months, but would prefer a year (ALS, Chester, March 17, 1785, Box 1, HLC). In 1799 H was listed at 26 Broadway, doubtless his office as insp. gen.; his law office was at 69 Stone St. (*Longworth's . . . N.Y. Register and City Directory*, 242).

45. This was another and very personal way in which H promoted education. Among applicants for student clerkships were sons and protégés of friends. Their equipment testified to the esteem in which H was held. Edward Laight, son of William L, after studying at Columbia College, was instructed in law by Burr and by Monroe, and was admitted to the bar. His father, craving H's sponsorship, would pay at first and then H might give the young man what salary his exertions justified. (ALS, Wm. Laight, March 14, 1797 [AMH 162-3]). Wm. Hull inquired on behalf of Chas. Jackson, graduate of Harvard and an officer in the Revolution, who had been studying with him (ALS to H, June 27, 1789 [2 HLC 2d ser. 182]). Cf. Dr. Sam'l Smith, Princeton, for John Witherspoon Smith (ALS, March 18, 1802 [83 HLC]). C. C. Pinckney requested if H could not take his nephew, he be placed with Troup (ALS, July 2, 1802, *ibid.*). H's friend Ezra L'Hommedieu advised Benj. Bourne that a law clerkship for his son with "a Counsellor in full practice" would entail a high fee for negligent tutelage. As Bourne wished for Hamilton, "it will . . . be best

for you to write to him on the subject, he is a generous Man & is fond of promoting young men of genius[;] tis probable considering your Intimacy he may take him on better Terms than any other." Later L'Hommedieu saw H on young Bourne's behalf. Promising to write the father, H "observed that the fee was of little consequence when compared to the services of a Clerk. he had rather take one for nothing who would attend to Business out of office hours than to take one with a large fee who would only attend at office Hours." He was unwilling to have the young man study part of the period with another lawyer; "he was conscientious about it, and would not choose to give a certificate unless the Clerk had been with him the limited [designated] Time except in cases of Sickness in Town or other material occurrences. . . . Mr. Ingram has a son who is Clerk to General Hamilton, and is maintained at my expence . . . he writes in the office without regard to office hours and I expect to give little or no fee provided he is attentive to his Business" (ALsS, Nov. 20, 1801, April 10, 1802, NYSL). Cf. ADS, John E. Schuyler, Oct. 9, 1787, deposing that he "hath served a regular apprenticeship of three years with Alexander Hamilton Esquire one of the practicing attorneys of the Supreme Court of Judicature" and "hath obtained a certificate for his Examination for Admittance. . . ." (*ibid.*).

46. To Ebenezer Stevens, Oct. 25, 1799 (AMH 337-8).

47. To Richard Peters, Dec. 29, 1802, Houghton. When offered for sale by executors of H's will, Grange contained 34 acres (*N.Y. Ev. Post*, Dec. 14, 1804).

48. NYHS has large photographs of the house in process of being moved to the new prepared foundation; numerous pictures, including a fine etching and a photograph, about 1864 (AMH facing 340), show it in the first setting; for its later appearance, with grove and garden despoiled, see *Life* magazine July 7, 1947, also Helaine Magnus, "One Hundred Twenty-five Pictures of Upper West Side, New York City," 58. Plans were matured in 1960 for shifting the house again, to the City College campus, where it is to be expertly restored; it will retrieve the original front entrance, blocked up and shorn of its porch when the building was sandwiched on the Convent Ave. lot.

49. ADS, H, July 1, 1801, mortgage to Richard Harrison [*sic*] of N.Y. and Aaron Ogden, Elizabeth Town, N.J., trustees for LeGuen, for one year at lawful interest. Abutting owners were Dr. Bradhurst, (blank) Mott, and John Meyer. This mortgage seems to have been extended, for Harrison receipted for \$5,000 principal and \$626.50 interest from H's executors May 1, 1805; see also accounts of H with LeGuen, in H's hand, June 4, 7, 1802, April 1, 1803, all in Pendleton Family Papers, Yale Univ. AMH 337 seems, in error, to make the mortgage to LeGuen early 1804. Apparently in order to offer sufficient land collateral for his borrowing in 1801 or slightly after, H was obliged to buy land beyond his original intention. This obliged him to inquire of Wolcott, the president, whether the Merchants Bank would lend him \$4,000 additional. He outlined his means of repayment, but did

not want to present his paper "if there was even a prospect of hesitation." He would need the proceeds not at once but over a period of months, indicating that construction costs were the object (ALS, to Wolcott, endorsed Sept., 1802, VII Wolcott Papers, CHS). Shortly afterward he empowered Wolcott to exchange his Ohio lands at \$1 an acre for Connecticut farms which he would hold a while (ALS, Oct. 3, 1802, *ibid.*; on impediments to sale of H's Ohio lands, see ALS, Rufus Putnam, Marietta, to him, Jan. 17, Dec. 12, 1803, Pendleton Papers, Yale).

50. To H, Aug. 25, 1800 (AMH 339-40). Cf. directions of Duer for sawing and seasoning lumber for his house, Ft. Miller, Albany County, Dec. 24, 1771; Schuyler's barn was model for Duer's, for which he required "50 Pitch Pine Logs of 50 feet Long 17 Inches at the smallest end," for which he would give 10s. each. (Misc. 7, Duer Papers, NYHS.)

51. Schuyler to Mrs. H, April 23, 1803 (AMH 340-41).

52. *Ibid.*, 342-3; copy, H to McHenry, July 30, 1799 (48 HLC).

53. ALS, Dec. 29, 1802, Norton autographs, Houghton Lib.

54. ALS, Phila., to H, Jan. 8, 1803 (83 HLC).

55. Dec. 20, 1802, AMH 346. Pinckney sent seeds and advice, incidentally describing how (West Indian) "fine cotton, which has been of such advantage to our State," was acclimated. He finished by lamenting "a great want of nerve & energy in the measures our rulers are adopting" to avoid war or prepare for it. He agreed that "such is the infatuation of the people that antifederalism . . . gains ground in this state, which can only exist by a strong union & firm government" (ALS, Charleston, March 6, 1803 [83 HLC]).

56. AMH, 344-5.

57. *Ibid.*, 348, with facsimile opposite.

58. *Ibid.*, 352-3.

59. ALS to Mrs. H, Oct. 16, [1803] 4 HLC 2d ser. 376.

60. ALS, Oct. 14, 1803, H Papers, NYPL, and AMH 352-3; plan of ventilators was cut off, doubtless to be sent to carpenter at Grange, as Mrs. H was at Partition St.

61. Cf. AMH, 349.

62. Kent to his wife, April 21, 1804 (AMH 351). This daughter was Angelica, who enjoyed playing the piano sent her from Europe by her aunt and namesake, Mrs. Church. After wanderings, it is back in the Grange house. H was fond of singing to Angelica's accompaniment.

63. Croswell was also one of the publishers of the weekly *Balance*, and *Columbian Repository*, commenced 1801, with a circulation of about 450.

Said Croswell, "The title of our paper may . . . create a suspicion that we stand ready to be weighed down on either side, according to the quantity of popular opinion . . . thrown into the scales; but . . . we hope to prove the contrary, and render our paper a standard of truth, in the cause of *good order*, unbiased by the flimsy theories of demagogues and dis-organizers" (ALS, June 27, 1801, to Noah Webster, Webster Papers NYPL). He would have described the *Wasp* similarly. The issue with Holt's piece was Sept. 9, 1801.

64. 8 LHW 388, n.

65. *Ibid.*

66. Contemp. newspaper account pasted in James Kent's notes on Croswell case, NYPL. Wm. Johnson, *Reports of Cases Adjudged in Supreme Court of N.Y.*, 1799–1803, appendix contains abbreviated version of arguments for defendant and for the people, and (351–61) summary of H's reply to latter, concluding with his 15 points. H's part is in notes of Kent, who doubtless was the "person of great legal eminence" who communicated the material to the reporter. Opinions of Lewis, denying a new trial (393–411) (Livingston concurring), and of Kent (363–93), following H's reasoning and allowing a new trial (Thompson concurring), are here, as also in Jacob D. Wheeler, 3 *Reports of Criminal Law Cases*, 2d ed., 329–81. Lewis at end admitted legislature would likely reverse his judgment by a statute.

67. Kent's notes, above.

68. AMH 179. A critic of Judge Lewis in Croswell's trial was fearful that his printer would be cited for contempt, begged H's help (ALS, B. Gardenier, Kingston, to H, Oct. 6, 1803 [84 HLC]). Wm. Coleman, Federalist editor of the *Evening Post*, gave moral and material support to Croswell. The country printer was advised "to relate with plainness, unaccompanied with remark," the conduct of the bench in his first trial. Coleman gathered subscriptions for Croswell's *Balance*, and eagerly passed on an invitation for Croswell to become editor or proprietor of the Washington *Federalist*. Incidentally, so tardily was Croswell's trial, when Lewis decided against him, reported, that Coleman had not seen a full account as late as Nov. 1803 (ALS, Coleman to Croswell, Jan. 20, July 28, Nov. 1, 1803, NYPL misc.).

69. See Hudson's *Journalism in the U.S.*, 216.

70. 8 LHW 387–425. The brief of 15 points which he followed is in *ibid.*, 383–6. Judge Kent, with remarkable attention, on the bench recorded a running account of H's argument, with comments on salient features (NYPL).

71. Pickering remembered Thos. P. Grosvenor's impressions at the Croswell trial: "Hamilton's speech drew tears from his eyes, and I think he added, from every eye, of the numerous audience" (to Wm. Coleman, Sept. 11,

1827 [16 Pickering papers MHS]). For highest praise of H's performance in defense of Croswell, see D. D. Barnard, *Discourse on Character and Public Services of Ambrose Spencer* (1849), 24 ff.

72. AMH 198.

73. James Brown Scott, describing H, observed: "A knowledge of the history of the law added to the power of searching analysis and philosophic grasp are essential to the lawyer in the scientific sense. In rounded completeness they make the jurist" (in W. D. Lewis, ed., *Great American Lawyers*, 372).

74. 8 LHW 383 ff.

75. *Ibid.*, 403 ff. President Jefferson, earlier, angry at sufferings of Republican printers under the Sedition Act, raised the question whether the truth was not a good defense against libel. He sought to relieve Wm. Duane, imprisoned for 30 days for contempt of court after his indictment for a libel on the Senate. Jefferson asked the opinion of R. R. Livingston, as the attorney general was absent and he himself had not been "in the habits of law reading" for 30 years. What Duane had printed in the Phila. *Aurora* "relative to a case depending in court, in which he was a party," was by none pretended to be untrue. Jefferson inquired, "1. Have not the *Whig* lawyers of England always denied that the publication of *truth* could be either a contempt or a libel? 2. if the *printing* of *truth* may be a contempt in England, can it be in the US. the constitution of which inhibits any law abridging the freedom of the press? 3. If it may be a co[n]t[em]pt even in the US. may it not be pardoned by the President under the authority to pardon all *offences against the US.* except in cases of impeachment? if either of these questions be answerable in the affirmative, Duane may be relieved by pardon. . . ." Jefferson declared "the systematic oppression of republicans & republicanism meditated by our courts" required that "all the lawful powers of the Executive ought to be interposed for the protection of the citizen" (ALS, May 31, 1801, Livingston Papers, NYHS). Suit against Duane, then pending, for libel of the (Federalist) Senate—he condemned Hamilton's "Aristocrats . . . devoted to . . . measures hostile to our form of government"—after postponements was dropped by Dallas, successor to Ingersoll as U.S. Atty. for Pa. (see AMH 443–50).

76. 8 LHW 390.

77. *Ibid.*, 422–3.

78. Kent's notes, NYPL. Court was equally divided because Ambrose Spencer, now on the bench, as attorney general had prosecuted Croswell, and took no part in the judgment. Twenty years later H's son James remonstrated with Kent for one of his decrees that went against James, and received from the old judge regrets so gentle as to sting worse than a reproof. It was impossible to please all litigants, who were generally equally con-

fidest of success. "My consolation is that I decide the cases before me as well as I am able, & if I am erring the Points can always be reviewed & canceled by a more competent Tribunal." He was on the eve of retiring "& this is the last communication . . . I shall probably have an opportunity of making to you in my official or in any other capacity, & I beg leave to bid you adieu with those good wishes that are due from me to one of such illustrious ancestry & whose Father & Grandfather I had the Honor to number among my Friends, & to receive from them uniform & strong marks of Esteem, Confidence & attachment. Your old Sert," etc. (ALS, Jan. 11, 1823, NYPL misc.; endorsed answered same day received).

79. Johnson, *op. cit.*, 411 ff.; cf. Abbott, 16 *N.Y. Digest* 162, *N.Y. (State) Journal of Assembly*, 28th Sess., pp. 24, 341.

80. ADS, Kane to H, Feb. 28, 1804, Nath. Pendleton Papers, NYHS. An anonymous correspondent remarked on the charge that H in the Constitutional Convention has moved for a government of king, lords, and commons. Abraham Baldwin, a member of the convention, had confirmed in a recent dinner-table conversation what had been printed in Greenleaf's paper. It was reported that Gouverneur Morris had seconded H's motion (Aug. 30, 1793 [20 HLC 2809]). John Adams challenged Jefferson to cite evidence that he advocated monarchy; this might have been H's retort (July 29, 1791 [8 Adams Works 507]).

81. AD, Nath. Pendleton, Feb. 25, 1804, *ibid.*

82. Retained copy, AL, H to Clinton, Feb. 27; ALS, Clinton to H, Feb. 29, 1804 (84 HLC), and 6 JCHW 561-2; whole correspondence with Clinton in both places.

83. March 2, 7 (but original in H papers, Columbia Univ. is dated 4th), 1804, JCHW *ibid.*, 562-3, 564.

84. March 6, 1804, *ibid.*, 563-4.

85. Albany, March 9, 1804, *ibid.*, 565.

86. Thus Woodrow Wilson, "His breeding was not of the colonies, his thinking marked him of the culture that belonged to the other side of the sea" (5 *History of American People*, 1918 ed., 74).

87. ALS, N.Y., to Gouv. Morris, Feb. 27, 1802 (83 HLC), printed 6 JCHW 529-31.

88. See Gouv. Morris to H, Feb. 22, 1802 (6 JCHW 528-9): "You must pardon me for telling you I am sorry you opposed sending a petition to Congress. . . . It will stop . . . petitions which might have come on from the eastward, and . . . leave our enemies to conclude against us from the silence of our friends."

89. He must have received, at that very time, Rufus King's letter of condolence from London.

90. H to Gouv. Morris, March 4, 1802 (6 JCHW 531-2).

91. April 6, 1802 (6 *ibid.*, 536-38).

92. Bayard to H, April 12, 1802, *ibid.*, 539-40.

93. See the fragment on irreligion and the French Revolution, in 8 LHW 425-9; date uncertain, but likely of this time. Without naming Rousseau and Godwin, he directed shafts against the contention that religion and government are "unwarrantable restraints upon the freedom of man; . . . causes of the corruption of his nature, intrinsically good; . . . sources of an artificial . . . morality, which . . . robs him of the enjoyments for which his passions fit him. . . ."

94. H to Bayard, April 1802 (6 JCHW 540-43). Perhaps hearing of this project, though more than a year later, John Nicholas, Charlottesville, Va., looked to H "for some general & effectual plan in which we may unite our powers. . . . Let us in the first place fall upon some methods to support our [Federalist] papers. . . ." (ALS, Aug. 4, 1803 [84 HLC]). Cf. W. Jackson to same, April 20, 1804, *ibid.*, in behalf of Phila. *Register* whose aim was "restoring the tone of the Constitution, and the principles of . . . Washington's administration. . . ."

95. To H, April 25, 1802, *ibid.*, 543-45.

96. King had asked H's advice, April 8, 1802, *ibid.*, 538.

97. H to King, June 3, 1802, *ibid.*, 546-49.

98. Henry Stimson thought the chief difference in public men was between doer and critic. ". . . it was the genius of Alexander Hamilton that he enlisted on the side of the doers, the Federalists, and in behalf of . . . a liberal construction of the constitution, such of the business interests of our young nation as would naturally have been conservatives. It was this . . . stroke . . . that made the nation go. . . . Fortunately for his experiment, differences of wealth and class were slight. . . . But just as soon as a great vested interest did arise . . . namely, the vested interest of slavery, . . . it . . . inevitably took shelter in the party of strict construction" (to Theodore Roosevelt, Dec. 27, 1910, 153 Roosevelt Papers LC). Mathew and H. C. Carey and their circle perpetuated H's economic policies and view of the Constitution. Fullest, most intimate memorials of them are in Univ. of Pa. and PHS. See especially, in latter, exchange of letters, 1821-2, concerning abortive intention of M. Carey to finance professorship of political economy in Univ. of Maryland to be held by Daniel Raymond whose Hamiltonian system coincided with his own; also M. Carey, *Autobiography* (ed. E. L. Schwaab, Brooklyn, N.Y., 1942).

99. Copy, H to Campbell Smith, Nov. 11; Smith to H, Nov. 8, 11, and McHenry to H, Nov. 12, 1799 (60 HLC).

100. ALS, Gibbs, Boston, to H, June 10, 1799 (44 HLC 6045).

101. Sept. 30, 1799, referred to by H but not found.

102. Oct. 24, 1799.

103. See Vol. 1, pp. 156-7.

104. ALS, Jan. 19, 1796, H Papers, NYHS.

105. Copy, same day, 27 HLC 3818.

106. *Ibid.*, 3819.

107. Jan. 24, 1796, Misc. Papers, NYSL, 5:90. Suggestions that Hamilton was too gallant toward his sister-in-law, the vivacious Angelica Church, especially when she returned to New York in the spring of 1797 after long absence abroad (see Schachner, *Hamilton*, 389-92) remind that Jefferson paid her cordial compliments. He in Paris, she in London, he declared "Many motives . . . authorize me to write to you, but none more than this that I esteem you infinitely. yet, I have thought it safe to get Kitty to write also, that her letter may serve as passport to mine, and shed on it the *suave odeur* of . . . warm emotions. . . ." As he rides in the bois he thinks of his friends, "and could I write as I ride, and give . . . my thoughts warm as they flow from the heart, my friends would see what a foolish heart it is. . . . if you will install me your physician, I will prescribe to you . . . a month in Paris" (ALS, July 27, 1788; cf. same to same, Jan. 21, 1800, MHS). See Gilbert Chinard, *Trois Amitiés Françaises de Jefferson*. . . .

Chapter 26 (Pages 518 to 546)

Fatal Meeting

1. One who contrasts contemporary evidence with later accounts is impressed by the superior trustworthiness of the former. The career of any conspicuous figure, portrayed from praises and accusations after his death, must be weirdly different from what the actual record of his thoughts and doings reveals. Post-mortem distortions of Hamilton abound.

2. Adams, Henry, ed., *Documents Relating to New-England Federalism, 1800-1815*, p. 144 ff.; cf. Plumer's *Plumer*, 290-92.

3. Oct. 21, 1828.

4. Adams, John Quincy, *Correspondence between John Quincy Adams . . . and Several Citizens of Massachusetts*. . . . (Boston, 1829), p. 57.

5. *Ibid.*, 52. In spring of 1804 he was not told that H approved the plan but that "those by whom it had been formed . . . looked to him as the

military leader in the event that forcible measures should become necessary. . . ." (Henry Adams, ed., *op. cit.*, 146-7).

6. *Ibid.*, 147-8. J. Q. Adams was opposed also; he and King lamented certain ill effects of the Louisiana Purchase but they rejected the alternative of leaving the mouths of the Mississippi in the possession of Napoleon. "The loss of sectional influence, we hoped and believed, would be more than compensated by the extension of national power and security." The next session of Congress Adams walked and talked with Pickering who "thought the United States were too large, and their interests too variant, for the Union to continue long; and that New England, New York, and perhaps Pennsylvania . . . ought to form a separate government."

7. ALS, J. Q. Adams, Washington, to Wm. Plumer, Epping, N.H., Dec. 31, 1828, Morristown Hist. Mus. Adams believed that Chief Justice Theophilus Parsons had declared it was the intention of leading Federalists of New England "to separate from the Union and *shake off* the *Negro States*." Writing to Plumer's son two years later, Adams said that when his pamphlet documenting his charges appeared, "two of the Sons of General Hamilton . . . appeared in vindication of what they thought proper to consider as a slur upon their father's fame. . . ." (to Wm. Plumer, Jr., Sept. 30, 1830, *ibid.*). A generation after this, during the Civil War, John C. Hamilton, alluding to his father's views, reminded, "The great doctrine—that we are one people—a nation—cannot be too often inculcated & enforced" (ALS, April 15, 1864, to Rev. Dr. Hitchcock, NYPL misc.). Almost three decades after H's attack on John Adams, Timothy Pickering, planning a life of H, was fearful his treatment of Adams would "produce an explosion." ". . . I would not count sanguinely on the silence of the son. . . ." John Q. Adams would need no fresh provocation to revile the character of Hamilton as he had aspersed Ames and Cabot. And Pickering went on to do some aspersing of his own (draft ALS, Salem, to Robt. Troup, Feb. 28, 1828, 38 Pickering Papers, MHS).

8. ALS, Feb. 23, 1829, to Jas. A. Hamilton, NYPL, misc. Cf. with some variations, same, copy, to JCH, March 6, 1829, *ibid.* See *The Hamiltoniad*, by John Williams, with dedication, Sept. 6, 1804, "To Perpetuate the . . . Infamy of John Park, M.D., . . . Who is the vile and crawling minion of the *Essex Junto*, that has been labouring to destroy the federal fabric . . . and introduce a monarchical despotism upon its ruins." He is "the pensioned scavenger and servile dog of the *Royal Faction* of New England, who are now gasping on their political death-bed. . . ." (copy of reprint of 1865 in H Papers, NYPL).

9. July 10, 1804 (10 LHW 458).

10. To J. Q. Adams, Feb. 24, 1829 (4 *Writings* [Rives ed.] 31-2).

11. *N.-Y. Ev. Post*, March 2, 1804, said editorially that Lansing may have been disheartened by the "spirited movement" of Burrrites when it was

known Clinton would not run. A satirical address of Clintonian officeholders (*ibid.*, March 9, 1804) lamented that Lansing "very suddenly and much to our chagrin . . . left us in the lurch" so "we were driven to . . . agreeing to support Morgan Lewis" who "has at different times been one thing and another in politics." However, despite frailties, it sufficed that he was a Democrat (Broadside, NYPL). Urging Lansing for governor of New York, before he withdrew in favor of Morgan Lewis, H condemned Burr as "a man of irregular and insatiable ambition" who would rise to power with support of Jacobins. Lansing by contrast possessed character, but the Democratic party would further divide under him, and "federalists will gain a great accession of force from former opponents" (1804 [84 HLC]; sheets without heading, much faded).

12. Charles D. Cooper to Ph. Schuyler, April 23, 1804, N.Y., Election Broadside, Burr, 1804-6, NYPL.

13. 7 JCHW 851-53. Henry Adams inherited a suspicion of H that pops up in his writings as naturally as crabgrass in a lawn; cf. *Hist. of U.S.*, Bk. 2, 176-7, where he makes it appear that H opposed Burr for selfish reasons only, wishing himself to head a Northern confederacy if democracy there were first eradicated.

14. See "Republican Nomination" (N.Y. Election Broadside, Burr, 1804-6, NYPL) at meeting of all Republicans in legislature and number from different parts of state in Assembly chamber, Albany, Feb. 20, 1804. Burr had been nominated Feb. 18 "At a respectable Meeting of Republican Citizens . . . at the Tontine Coffee-House" (*ibid.*).

15. Morgan Lewis (1754-1844) was a brother-in-law of Robt. R. Livingston. Burrites charged that for abandoning the Federalists he was rewarded by the Democrats with a judgeship; they condemned him because "lately, when presiding . . . at a trial for libel, [Croswell case] he refused to receive the truth in evidence" ("Plain Truth" to Independent Electors of the State [Burr Broadside, NYPL]).

16. March 2, 1804.

17. N.Y. Election Broadside, Aaron Burr, 1804-06, NYPL.

18. *N.-Y. Ev. Post*, April 16, 1804; cf. extra of same paper, April 12, serving as handbill. The national administration would express no choice in a division of real Republicans, but condemned Burr's faction which supported the *Morning Chronicle* and "Aristides." The editor said, too early, that the Federalists "can have but little concern in this . . . question," and continued, "The democratic house . . . is divided against itself. They have their 'little band,' and their 'great banditti'—they have their *moderates* and their *terrorists*—their Burrites and their Clintonians—they have . . . all sorts of republicans. . . ." The confusion of tongues was enough to turn an honest man crazy (March 2, 1804).

19. "A Young German," probably Herman Behrens.

20. "A Friend to Liberty and Justice."

21. "A Friend to Justice."

22. "A Warning to Libellers."

23. "Behrens Lie Detected." However, in a rejoinder, "The Liar Caught in His Own Toils," it was pointed out that Burr did not deny using trust funds to take up his own protested private note.

24. P. 13.

25. P. 18.

26. "Examination," 8-9, 21 ff.

27. *Ibid.*, 5, 22-3, 53, 71; cf. Cheetham, "Reply to Aristides" (N.Y., 1804).

28. Hamilton to King, Feb. 24, 1804 (10 LHW 448-50).

29. For Wm. Peter Van Ness (1778-1826), 19 *Dict. Am. Biog.* 202-3; b. Claverack, N.Y., graduated Columbia Coll., 1797, studied law with Edw. Livingston, 1800 began practice as protégé of Burr whom he unwaveringly admired; indicted as accessory in death of H, but through influence of Martin Van Buren and D. D. Tompkins his civil rights were restored; 1812 Madison appointed him judge fed. ct. for southern dist. N.Y.

30. Originals of the correspondence are in NYHS and N.Y. State Hist. Assn., Cooperstown; best found, with other pertinent documents, in Syrett and Cooke, eds., *Interview in Weehawken*; included are narratives by the seconds, Van Ness and Pendleton, of their goings and comings, interviews and verbal instructions, which amplify the formal exchanges. See also, less complete and scholarly, but with material on funeral and memorial sermons, Wm. Coleman, *A Collection of the Facts and Documents, relative to the Death of Major-General Alexander Hamilton . . .* (N.Y., 1804, reprinted by Houghton Mifflin Co., Boston and N.Y., 1904). Ironically, the report of Dr. Cooper, Tayler's son-in-law, of H's detractors of Burr was in a letter Cooper wrote to Schuyler (Albany, April 23, 1804, published in *Albany Register* next day; for text see Syrett and Cooke, 44-9). Besides quoting H's special friend James Kent, names of others, close to H and hostile to Burr, were mentioned corroboratively—Stephen Van Rensselaer, H's brother-in-law, and Nathaniel Pendleton, to be H's second in the duel. Cooper's letter to Schuyler was provoked thus: he had written a fortnight before to Andrew Brown, of Bern, N.Y., enclosing election circulars to be used against Burr, and reinforcing them with condemnations of Burr by H and Kent, and impliedly by Van Rensselaer and Church (April 12, 1804, reprinted from *Albany Register* in *N-Y. Ev. Post*, July 23, 1804; Syrett and Cooke, 45-6, n.). This letter was "embezzled and broken open" in transit

and printed without Cooper's authority. Thereat Schuyler wrote to Dr. Samuel Stringer, chm. of the Federal Republican Committee (and Schuyler's physician), contradicting Cooper's account of the political views of H, Kent, and Van Rensselaer (April 21, 1804, printed in *Albany Register*, April 24; see for summary Syrett and Cooke, 44-5, n.). Cooper was angry when he saw Schuyler's letter "annexed . . . to an anonymous hand-bill." He remonstrated to Schuyler that his allusions to anti-Burr sentiments of H and others, to which Schuyler took exception, were "substantially true, and . . . I can prove them by the most unquestionable testimony. I assert, that Gen. Hamilton and Judge Kent have declared . . . that they looked upon Mr. Burr to be a dangerous man, and one who ought not to be trusted with the reins of government. If . . . you attended a meeting of federalists, at the city tavern, where Gen. Hamilton made a speech on the pending election, I might appeal to you for the truth of so much of this assertion as relates to him." He referred to local worthies who could repeat what Kent had said. Cooper had been cautious in his report, "for really sir, I could detail to you a still more despicable opinion which General Hamilton has expressed of Mr. Burr."

31. Coleman, *op. cit.*, 1-4.

32. For sketch of Nathaniel Pendleton (1746-1821), 3 *National Cyclopaedia of Am. Biography* 273; b. Va., aide to Greene in Revolution, U.S. dist. judge in Ga., 1796 moved to N.Y.C., where rose to a leading position at bar; married Susan, dau. Dr. John Bard.

33. Coleman, *op. cit.*, 4-9.

34. That Burr's challenge proceeded from long-standing vindictiveness was declared by the editor of the *American Citizen*: ". . . this unfortunate gentleman has fallen a victim to a wicked system of deathly hostility planned by Mr. Burr and his friends and rigidly carried into execution. . . . During [some months] menaces have in whispers been denounced, by those who . . . best knew the secret purposes of Mr. Burr against this child of genius" (July 21, 1804).

35. *Ibid.*, 9-17.

36. ALS, July 3, 1804, PHS. A fortnight earlier the Hamiltons gave "a Breakfast, a Ball and a dinner . . . to 70 persons" for their niece, Angelica Church. She married the son of Nicholas Cruger, H's old employer in St. Croix (ALS, Angelica Church, Sr., to Philip Church, June 14, 1804, NYHS).

37. H had not been sufficiently careful to confine his condemnations of Burr to trustworthy ears. After strictures expressed to Gouverneur Morris, he added, "Make any discreet use you think fit of this letter" (Dec. 24, 1800 [78 HLC]). However, two days later he was concerned about the delivery of this letter, "as it contains some very free and confidential communications" (same to same, Dec. 26, 1800, *ibid.*). McHenry, reminding

H that they were both apt to misplace letters, thought it best they should burn what was confidential. "One of your letters respecting candidates in a certain event is not burnt. It is in my trunk. But that concerns not the present business" (ALS, Dec. 1800? *ibid.*).

38. Coleman, *op. cit.*, 24-7.

39. July 4, 1804; facsimile in AMH, facing 394, and in Mitchell, *Heritage from Hamilton*, facing 94; in 10 LHW 475 incorrectly dated July 10.

40. 10 LHW 476.

41. AMH 380; 4 King, *Life and Letters*, 398 ff. Likely King was mean when H wrote that "a very moderate and judicious friend whom I consulted" confirmed his sincere opinion that he should not allow himself to be questioned on his general censures of Burr (Coleman, *op. cit.*, 382). Immediately after the duel (July 16) King wrote to Wolcott, "On the subject of his scruples concerning duelling, I have recollection that in his Dispute with Monroe, he made this distinction, that he would neither give nor refuse a challenge!" (ALS, CHS). Finally, Timothy Pickering wrote Wm. Coleman in 1825: "Judge [Egbert] Benson assured me, that Mr. King in pursuance of a previously contemplated journey to the Eastward, left New York, with him, on the Friday preceding the Monday of the fatal duel with Burr: That they went to Mr. Jay's [Bedford, Westchester Co.] the first day; and there Mr. King said, that the question of duel or no duel was never submitted to him: That this point Hamilton had decided for himself: That he mentioned to Mr. King his intention not to return Burr's fire, which intention Mr. King endeavoured to persuade him to abandon. What a terrible [delusion?] to place himself as a target to be shot at, to be murdered by the sure aim of the man who had been practicing, in order certainly to kill" (ALS, July 1, 1825) [38 Pickering Papers, MHS]).

42. AMH 408-9.

43. Besides his affection, he was H's heavy creditor; on the other hand, Church had no objections to duels, engaged in several, had supported H in the threatened meeting with Monroe, and his pistols were probably employed in Philip Hamilton's meeting with Eacker, when young Church was Philip's second.

44. AMH 405, 407-8.

45. Coleman, *op. cit.*, 273. The whole of Eliphalet Nott's memorial sermon at Albany was a denunciation of dueling in which H was not spared; "he exposed his own life. This was his crime: and the sacredness of my office forbids that I should hesitate . . . to declare it so. . . . Humiliating end of illustrious greatness" (*ibid.*, 111).

46. AMH 363.

47. *Ibid.*, 374, n. For the case of Rochefontaine and Wilson, submitted to him seemingly with like result, *ibid.*, 366-74. Five years before he him-

self fell to Burr's pistol, H, as inspector general, deplored a fatal duel between officers of one of the regiments. "Altho' it is not my intention to contravene military prejudices on the subject, yet . . . it is proper to discourage . . . frequent events of this nature." He insisted on knowing "the particular subject on which the political dispute turned, and . . . the principles that were maintained by the respective parties." He was sterner in condemnation when he learned that all involved had been drinking heavily. (See exchange of letters with Lt. Col. Thos. L. Moore, Sept. 17, 18, 20, 26, 28, 30, Oct. 3, 1799, in 55, 56 HLC.)

48. Said the *New-England Republican*, "Seeing with concern the intrigues of men whose views he could not justify, in the frankness of his heart he uttered his fears; and for this generous indiscretion he lost his life" (Coleman, *op. cit.*, 156-7).

49. See 2 Morse, 364; the description of Burr's demeanor may have been prompted by after event. For various notions of what the song was, see *W&M Quar.* 3d ser. vol. 12, pp. 298-307, and I. E. Graybill, *Alexander Hamilton, Nevins-Weehawken*. H had a pleasing singing voice, sang at home to the harpsichord accompaniment of his daughter Angelica.

50. AMH 407; Wolcott recorded what he learned afterward, that "Monday was first proposed—it was then postponed till Tuesday—& took effect this Morning [Wednesday]." That Hamilton's overhanging fate did not absorb him appears in his note to P. G. Stuyvesant June 26, 1804, the day the duel was settled on. "I should like to see you on the subject of a poor fellow, Peter Drinker, who says he has been employed by you, and appears unfortunate, which is his title to my attention." Stuyvesant reproved the man for troubling H, but he replied, "Oh, no, sir, he treated me very kindly" (7 *Hist. Repub.* 812).

51. Six weeks after H's death she wished to retract a plan for her eldest son, Alexander, then eighteen, to enter a countinghouse in Boston. After his apprenticeship he would want to remain there, "and do I not owe it to the Memory of my beloved Husband to keep his Children together. it was a plan he made in his last arrangement of his family that they should not be without a parents care at all times, [this in contrast to his own childhood] a plan to [execute?] I made the greatest sacrifice of my Life [.] it was that of being one half the week absent from him to take care of the younger while he took care of the Elder" (ALS, Albany, [Sept.] 29, [1804] to Nath. Pendleton, Pendleton Papers, NYHS).

52. "Rules" for the duel, in Pendleton's hand, Monday 11 July (*sic*, Monday was 9th) Pendleton Papers, NYHS.

53. Coleman, *op. cit.*, 18; Frank R. Crane, in *N.Y. Times*, Feb. 2, 1936, says Horatio St., without reference.

54. Eliphalet Nott exclaimed, "Ah! ye tragic shores of Hoboken ["the Weehawk" slightly north of it], crimsoned with the richest blood, I tremble

at the crimes you record . . . —the annual register of murders which you keep. . . . Place of inhuman cruelty! . . . where man assumes a more barbarous nature. . . ." (Coleman, 129).

55. Daniel Van Winkle, ed., *History of the Municipalities of Hudson County*, 497; also "View of Weehawken Bluff from the Hudson," in extralilus. copy Duer, *Old Yorker*, NYPL, picture of duel ground in 1810, p. 501. This terrace was torn away to make room for the West Shore Railroad in 1883 (Clifton Johnson, *Picturesque Hudson* [N.Y., 1909] 65-7). See J. R. S[imms], 1866, "Recollections of a Visit to the Weehawken Dueling Ground," in 10 *Historical Magazine*, Sup. 2, pp. 45-6. Soon after his death the St. Andrew's Society erected a monument to Hamilton at Weehawken; after being much chipped by souvenir hunters, it was destroyed in 1821 by citizens protesting against dueling. The tablet, after various resting places, is now in the N.Y. Hist. Soc. In 1858, when the old Bull's Ferry Rd. was cut through to the river, a boulder was removed from the spot where Hamilton fell to a location on top of the cliff. A stone bust of Hamilton placed on this boulder in 1894 was thrown over the cliff and destroyed by vandals in 1934 (*N.Y. Herald Tribune*, Oct. 15, 1934). It has been replaced in the small semicircular park by a bronze bust. I am obliged to my friend Mr. D. E. Blesse of New Jersey, for inquiries yielding most of these particulars.

56. This is quoted from the "Rules" in Pendleton's hand. The statement of the seconds after the duel differs only in that after the parties presented they might "fire when they please" (Pendleton Papers, NYHS, and Coleman, 17). Perhaps this was the second time Burr had aimed the same pistol in a duel, for a few years earlier his antagonist had been John Barker Church, H's brother-in-law. Neither was hit. Their quarrel sprang from remarks of Church on methods of Burr in getting a land law through the New York legislature. The new rule served Cazenove, the Dutch agent, whom H, though his friend, had refused to favor in this measure (W. M. Wallace in Syrett and Cooke, 25; cf. C. D. Cooper to Andrew Brown, April 12, 1804, *ibid.*, 46 n.).

57. This is from the ms., which as published was edited for punctuation. The ms. in NYHS, in Pendleton's hand, ends almost at this point, and remainder is from Coleman, 17-18.

58. *Ibid.*, 18-19.

59. Bayard's house stood in Jane St. (the next south from Horatio) between Greenwich Ave. on the east and Greenwich St. on the west. The garden ran to the latter, which was then at the river. The dwelling must have been of size, for in an advertisement of a lease of it a few years later it was referred to as "that large and elegant Mansion House of Greenwich, about two miles from the city on the North River, belonging to William Bayard, esq." (*Columbian*, April 12, 1812, in 5 Stokes 1543). Allan McLane Hamilton (*Intimate Life*, 404) thought the site the present

80-82 Jane; the owner of the modern building there has placed a tablet, has in the entry a picture of the Bayard house. This location is west of Greenwich St., between it and Washington St., on land filled in later than 1804. (Elliott's Street Directory, 1812, gives Jane as extending from Greenwich Lane, now Ave., to Greenwich St. only.) However, Bayard's house may have stood in the undeveloped shore line west of Greenwich St., the present numbers being given to the site when Jane St. was extended. The name is supposed to be corrupted from Jaynes whose farm was there 1750 and later (cf. Crane in *N.Y. Times*, *op. cit.*).

60. AMH 405.

61. *Ibid.*, 404-5.

62. AL, belonging to J. H. Barnes, Phila., printed in Syrett and Cooke, 143. Burr was immured, but Hosack would have only a half-mile to go from Bayard's house where H lay.

63. ALS, July 11, 1804, Pendleton Papers, NYHS.

64. AMH, 406.

65. Coleman, 50. A year earlier Bishop Moore had sought H's help to secure bestowal by Columbia College of D.D. degree on rector of St. Michael's, Charleston (ALS, Jacob Read to Moore, May 6, 1803, 84 HLC).

66. His knowledge on the point, if any instruction were needed, doubtless came from his early instruction under Hugh Knox in St. Croix, and from his own theological reading in his devout youth. He coveted the symbol perhaps for the sake of Mrs. H, who was exceedingly observant of religion, in the form as in the reality. In his last letters to her he had assured her of his own hope of divine mercy, and had counseled her, "Fly to the bosom of your God and be comforted."

67. Coleman, 53-5.

68. Coleman, 50-51. Both clergymen, reluctant in the beginning, perhaps had their own repentance. They visited him next morning, Bishop Moore remaining till he died.

69. Hosack's narrative, 22-3. "No person who witnessed [his family's] distress will ever be induced," said Wolcott, "to fight a duel. . . ." (Coleman, 407). For attendance during his last illness Dr. Hosack charged \$50; for medicines and advice in Jan., Feb., March, May, June, \$37.50 (receipted bill to estate, Aug. 8, 1805, Pendleton misc., NYHS).

70. Present Varick and Charlton sts.

71. See ms., in Pendleton's hand, "Facts agreed between N.P. & Wm V. Ness," no date; and ALs, Van Ness to Pendleton, July 13, two of July 16, 1804; Pendleton to Van Ness, June [July] 15, 16, 1804; fragment undated, unsigned (in Van Ness' hand) all in Pendleton Papers, NYHS, all but one

printed in AMH 396-8, n. For Van Ness' amended version of joint statement, see Syrett and Cooke, 154-5.

72. July 16, 1804, not 13 as in AMH 410-11.

73. July 17, 1804, *ibid.*, 411-12; cf. condolence of St. Andrew's Society to Schuyler ten days later, and his response, in Coleman, 141-43.

74. A copy of black-bordered broadside, July 17, 1804, giving resolutions of N.Y. Society of Cincinnati, signed by W. S. Smith, pres., and Wm. Popham, sec., is in 84 HLC. Gouv. Morris asked Mrs. H's permission to have Caracci's bust of H sent to Philadelphia for a copy to surmount the monument Cincinnati would erect in Trinity Church (ALS Aug. 6, 1804, *ibid.*).

75. Full particulars were given in the N.Y. newspapers and are conveniently found in Coleman, 29 ff. Pallbearers were Clarkson, Wolcott, Harison, Hammond, Hoffman, Varick, Wm. Bayard, John Lawrence.

76. *N.-Y. Eve. Post*, July 19, 1804, in Syrett and Cooke, 150-53.

77. AMH 401 n. Hamilton's death certificate on file in N.Y. City Health Dept. illustrates how legal records may be in error; it is dated July 11, 1804, H is given no date of birth, no residence, place of nativity is Santa Cruz, W.I. Under "Disease" is "Casualty." Trinity Church is given as the place of burial, Thos. Collister, sexton. Under "Remarks," "Fell in a duel with Col. Aaron Burr near Wehawk N. Jersey on the morning of the 9th July, interred at the expence of the Corporation of the City of New York" (Photostat in Hamilton misc., NYHS).

78. While this volume was in preparation, the original report of John Burger, coroner, and his fifteen jurymen was in possession of the Parke-Bernet Galleries, N.Y., which kindly allowed me to examine it; printed in AMH 423-25, and Syrett and Cooke, 156-59. In the ancient form it was sworn that in Bergen County, State of New Jersey, "the said Aaron Burr a certain pistol of the value of One Dollar charged and loaded with gunpowder and a leaden bullet which he . . . then and there . . . held . . . at and against the right side of the belly of the said Alexander Hamilton, did then and their shoot off . . . of malice aforethought," inflicting "one mortal wound. . . ."

79. July 13, 1804.

80. Almost exactly two years before he sheltered H's killer, Truxtun had begged H to "accept a Copy of the medal voted me by Congress as a small token of [his] great Respect and esteem" (ALS, July 10, 1802 [83 HLC]).

81. ALS, Jos. Hopkinson to Wolcott, July 31, 1804, Wolcott Papers, CHS.

82. For Burr's sequel to the duel, see Burr to Alston, July 29, 1804; to Chas. Biddle, Jan. 31, 1805 (PHS); *Phila. Gaz.*, Aug. 10, 1804; Charles

Biddle, *Autobiography*, 302 ff. Matthew A. Davis, *Memoirs of Aaron Burr with Miscellaneous Selections from his Correspondence*, II, 322 ff., in letters to the Alstons and others recounts Burr's wanderings, and furnishes his view of the duel and its aftermath.

83. Coleman, 26.

84. *Frederick-town Herald*, in Coleman, 107. Imprecations could be multiplied, but more impressive were the forecasts of Burr's fate. To him the duel "has brought misery and ruin. . . . all office, public honours, power, and trust, are now forever out of the reach of Aaron Burr!" (*Albany Centinel*, in Coleman, 192). Nott in his memorial sermon invoked prayers "in behalf of an object rendered wretched and pitiable by crime. . . ." (Coleman, 127). Of course, Burr found apologists too. The *N.Y. Chronicle* declared that when the public was candidly informed, Burr would "be justified by every disinterested . . . man" (*ibid.*, 106). A Boston paper objected to a eulogy of Hamilton: "An Oration! The Champion, the Goliath of party is dead—and died like a fool! He ought to have the burial of an ass, and none to lament him. . . ." (*Historical Mag.*, No. 9, p. 319).

85. Coleman, 106–7; it was hoped that Burr would be delivered up and for once a jury would not excuse killing in a duel on the ground of sudden passion, but would convict for premeditated murder.

86. See Coleman, 64 ff., 107.

87. The ms., 15 pp. in Ames' autograph, is in Am. Antiquarian Soc., gift of heirs of John Park who was ed. of *Repository*; conveniently found in Coleman, 238 ff. See, referring to his feelings on H's death, ALS, Ames, Dedham, Aug. 6, 1804, to Thos. Dwight (MHS).

88. See Coleman, 204 ff. The competent author does not appear. An obituary notice in Pendleton's hand (9 pp., NYHS), prepared without benefit of information from the family, is inaccurate and inferior.

89. *An Oration . . . commemorative of . . . Major-General Alexander Hamilton . . .* (N.Y., Hopkins and Seymour, 1804, pp. 40), copy in N.Y. Society library, conveniently found in Coleman, 257 ff. Dr. John Rodgers, another of H's early clerical friends, wrote to a brother minister of "the melancholy & a tragical Death of Gen^l Hamilton—alas! that so great a Man should 'die as the fool dyeth'" (ALS, to Rev. Mr. Griffen, Morristown Hist. Mus.). Schuyler proposed to H's executors (ALS, Albany, Oct. 8, 1804, NYHS) that they engage Dr. Mason to write the biography, the estate to own the undoubtedly profitable copyright. Mrs. H. was with her father at the time (ALS, E. H., Albany, [Sept.] 29, [1804] to Pendleton, *ibid.*) and probably urged this first of a succession of similar efforts which she made (as with Hopkinson and Pickering) to have H's history told; none succeeded until his son, John C. Hamilton, took over.

90. Hudson, N.Y., July 24, 1804; also in Coleman, 155-6; clipping of Croswell's appreciation is pasted in Jas. Kent's ms. record of trial (NYPL). Lafayette in France sorrowed for "the loss of the beloved friend in whose Brotherly affection I felt equally proud and happy, and whose lamentable fate has rent my Heart as his own noble soul would have mourned for me" (to Angelica Church, May 14, 1805, Church Papers, Yale, Hay transcripts).

91. Ames himself was nearly H's age (3 years younger) and that very year was offered, but declined, the presidency of Harvard.

92. Rufus King (who knew both New England and the Middle States) was on his way to Boston, and Sedgwick might learn his sentiments (July 10, 1804, framed in MHS).

93. Wolcott described what was for him the plight of the country in the summer of 1808, but was not hopeful of rescue by Federalists: "The foundations of the Government have been undermined. A federal administration, would in many respects, have a more difficult task to perform, than when the Government was first established. When Mr. Jefferson returns to Monticello, there will be neither Revenue, Union, nor a public force. Taxes have been rendered odious. . . . we have no controlling character, . . . the public sensibility to national honour has been destroyed. . . . I think every exertion ought to be made to elect Federal Men. . . . We owe it to ourselves . . . to make an Effort" (ALS, to Jos. Hopkinson, July 11, 1808, Morristown Hist. Mus.). Later Wolcott himself, unable to whip the Dems, joined 'em.

Chapter 27 (Pages 547 to 555)

. . . and Last

1. Opened day of H's death in presence of David A. Ogden and Washington Morton, the last H's brother-in-law; Pendleton listed the contents on the well sealed wrapper July 19, 1804. Most of the original papers are preserved, and H's hand shows no hurry or nervousness (Hamilton misc., NYHS).

2. Witnesses were Dominick T. Blake, Graham Newell, Theo. B. Valteau. It was proved by Blake and Valteau before Silvanus Miller, surrogate of County of N.Y., July 16, 1804. (This copy is in U.S. Arch., Veterans' Records Branch; another in Pendleton Papers, NYHS; conveniently found in Coleman, 27-9.) H in a note thanked Pendleton for his friendly offices, and added, "Excuse me for having inserted your name as Executor. I fear it may not be in your power to do much good to my family. But I am

sure you will do all the good you can." And he said where pertinent papers would be found (Pendleton Papers, NYHS).

3. He had bought in Scribas Patent in connection with Church, John Lawrence; in Nobleborough with Lawrence, Troup, and Fish, and had 5 shares in the Ohio Co. (6,000 acres bought with his legal services).

4. He was scrupulous, on a separate sheet listing for Pendleton, July 10, "These sums having been received since my *engagement* [acceptance of Burr's challenge] & no services rendered, I consider them as forming part of my debts." The whole was \$215, and Pendleton promptly informed each of these creditors (Pendleton Papers, NYHS). At least one client refused to accept any refund (Scott & Tremaine, Aug. 1, 1804, to Pendleton, Pendleton Papers, Yale University). Le Guen wrote H, from Morrisville about current legal business July 12, 1804, when H was dead (Pendleton Papers, Yale). In a paper of July 9 H assigned the debts owing him, \$2,510, to Church, the proceeds to be applied first "to my household and other servants and labourers and the woman who washes for Mrs. Hamilton, and secondly towards the . . . discharge of . . . notes made by me endorsed by him. . . ." (AMH 414-5 and Appendix I).

5. Said Dr. Hosack after his death, "his habit was delicate and had been lately rendered more feeble by . . . a disorder of the stomach and bowels. . . ." (AMH 22 n.)

6. He recognized that later he served on the general staff of the U.S., not in the N.Y. line, and so could not claim lands from N.Y. as a matter of course; yet he had lived in that state, entered the army at the head of an artillery company raised for its defense, and thus had good pretensions. (Copy with ALS, Pendleton to Wolcott, July 28, 1804, Wolcott Papers, CHS; in 10 LHW 476-80 undated, but context shows written just before duel, must have been among papers to which Pendleton was directed, though not in sealed packet.) At least Bank of N.Y. and Merchants' Bank agreed to extension H had bespoken for his endorsers (Church to banks, June 16, Pendleton Papers, NYHS; Wilkes to Church *et al.*, July 19; Lynn Catlin to same, July 27, 1804, Pendleton Papers, Yale).

7. AMH 394.

8. Mrs. H, without date, acknowledged to Pendleton receiving this for Mrs. Mitchell, but as she was "entirely unacquai[n]t[ed] with the mode of remitting the check on the Bank of N.Y. by a bill, perhaps Mr. Blake [who was attending to some legal details] would call on her and transact it (Pendleton misc., NYHS). This sum for Mrs. Mitchell may be connected with a note of Robt. Montgomery & Co. of St. Croix in favor of Jacob L. Muller for \$400, directed to Robt. & John Oliver, endorsed by Muller to be paid to Hamilton, "value on account" (Pendleton Papers, Yale). He also left for Pendleton a letter to Geo. Mitchell enclosing a lottery ticket (Hamilton misc., NYHS).

9. Third trustee was Church, H's brother-in-law, who naturally preferred, evidently, not to appear as a sponsor.

10. This last to King. To Jos. Hopkinson of Phila. similarly, "Gen^l Schuylers property has I believe been greatly overated [*sic*] & he has no money." And to Wm. Lewis, Schuyler could not command the requisite sum except by encumbering his estate beyond what he could discharge in his lifetime.

11. It is unnecessary to give individual references to this correspondence, July 16–Oct. 1, 1804, in which those mentioned and others participated, all in Wolcott Papers, CHS, except Wolcott's unhappy conclusion to Jos. Hopkinson (Morristown Hist. Mus.) and King to Cabot, Oct. 10, 1804 (Pickering Papers, MHS). Those active in the effort or listed as likely givers make a financial register of the period; two notable philanthropists were Stephen Girard and Elias Boudinot. One Dixey made a plaster cast of Ceracci's bust of H, and sought advice of Wolcott on "how to introduce his production [in quantity] to public notice." (Casts of the bust are being sold today.) Soon John Trumbull was kept busy painting replicas of his best-known portrait of H.

12. See a legal query addressed, by endorsement, to Richd. Harison *et al.* (no date, Pendleton Papers, Yale).

13. Labiche De Reigne-fors, July 15, had taken over H's lease of the house at 54 Cedar St. (signed acknowledgment, with Mrs. H's endorsement, Pendleton misc., NYHS).

14. He inquired about plans for business training for her eldest son Alexander, who had just graduated from Columbia, "& has my dear Johnny obtained permission to enter college?" (ALS, Albany, Oct. 15, 1804, Morristown Hist. Mus.). H had wished Alexander to become a merchant. Wolcott considered it best on several counts that he serve his apprenticeship out of N.Y. City, and alerted King to look out an opportunity for him in Boston (ALS, July 23, 1804, CHS). Mrs. H requested Geo. Cabot to apply to Stephen Higginson for this purpose (no date, prob. Aug., Pendleton Papers NYHS). Cabot was all solicitude; Alexander should have his education where he would afterward launch for himself, and if that was Boston, Higginson would eagerly take H's son into his countinghouse and for the first months into his home. Cabot would give every aid (to Mrs. H, Aug. 23, 1804 [*ibid.*]). A month later she could not bring herself to accept this cordial offer; she wanted her son with her in New York, and her father agreed he should be with Gracie and Wolcott (ALS, Albany, to Pendleton, Sept. 17, 20, 29, 1804, Pendleton Papers, NYHS).

15. ALS, Nov. 8, 1804.

16. Copy of subscription list, Nov. 16, 1804, and Pickering's deed to Cabot, Davis, Lyman, May 7, 1808, in Pendleton misc., NYHS, and printed

AMH 471-2; Theodore Lyman and Wm. Gray, Jr., gave 20 shares each; Stephen Higginson and his son and others 10 each; Geo. Cabot and Thos. Davis, who with Lyman promoted the project, 8 each; most subscribed 5 shares. For correspondence, Lodge, *Cabot*, 304-10; Pickering, 4 *Pickering* 37-41; cf. Pendleton Papers, Yale.

17. 7 Wolcott Papers, CHS.

18. Examples are in Bank of N.Y. collection, owners being Gerard Walton, John Hone, John Jacob Astor (three certificates, nos. 1, 2, 3), James Roosevelt, Archibald Gracie; highest-numbered here is 374. A bill of *N.-Y. Eve. Post* (\$60) for advertising sale of Grange is in Pendleton Papers, Yale.

19. Check, April 5, 1805, drawn by trustees in favor of executors, Bank of N.Y. coll.

20. Copy, ALS to Wm. Lewis, Aug. 14, 1804, CHS.

21. Photostat of agreement of these subscribers, N.Y., date in 1805 illeg., NYHS. Name of principal mover, who speaks of himself in first person, does not appear. In list were Troup, Church, Varick of his oldest friends; among clients Joshua Waddington whom H defended against trespass in one of his most famous cases, 30 years earlier.

22. Church advised that Grange at least be let; "it is utterly impossible for you to be at the Grange without horses, and their expense will pay your house rent" (Angelica Church to E. H., AMH 355-6, without date). She had spent periods in the city anyhow, sometimes in Warren St., sometimes with the Churches, Broadway and Leonard sts. (ALS, Catharine Cruger to Mrs. H, Aug. 22, 1808, NYSL).

23. See ALsS, J. B. Church to Philip J. Schuyler, Nov. 30, Dec. 5, 1804 (NYHS); John Randall's map of Schuyler's land in and near Albany surveyed for heirs June, 1808 (NYSL). Mrs. Schuyler had died in March, 1803; none in the family had use for the Albany mansion. Church made the suggestion, which to this day would seem appropriate, that it be sold to the state for the governor's residence. What with Mrs. H's troubles and his painful illnesses, Gen. Schuyler's gray hairs were brought down in sorrow to the grave. His private life had all of the acceptance of responsibility that marked his public career; he was the model *pater familias*. In a sense not applicable to any other he was the principal patriot of the upper Hudson—the trusted of Washington and Robt. Morris, preparer of the defense against British invasion, composer of Indian threats, early developer of Mohawk navigation. Albany's chief square is properly distinguished by a statue of Philip Schuyler.

24. See, e.g., ALsS, Church to Van Rensselaer, June 4, 1805, Jan. 7, 1808 (NYHS); Sedgwick to E. H., Feb. 5, 1806 (NYSL); E. H. to Pendleton, March 10, 1807, April or July, 1809 (NYHS); same to same,

May 28, 1813; Jas. A. Hamilton to Benj. V. Church, Feb. 14, 1814 (NYPL); DS, June 14, 1808 (Pendleton Family Papers, Yale).

25. Cf. AMH 222.

26. Broadside, 1½ by 2 ft., Jan. 16, 1806 (NYPL); sales to commence April 21 at Tontine-Coffee-House, continue day to day till completed; certificates received as cash at \$200 each. Signers, as trustees: Gouverneur Morris, Rufus King, Egbert Benson, Oliver Wolcott, Charles Wilkes. See also ms. deed by trustees of some of these lands to Gulian Ludlow, April 21, 1806, and deed of lands in Northumberland, now Jefferson Co., Pa., by survivors of H's trustees for benefit of his children, Dec. 31, 1821 (H papers, NYPL).

27. Two sheets of accounts; ALS, Lawrence, Phila., to H, June 3, 1797, in Pendleton Papers, Yale University.

28. She went to Washington on this errand in 1810, her sister Mrs. Church assuming oversight of the children at Grange (ALS, A. Church to E. H., Feb. 13, 1810, NYHS). A material question was whether H had retained his commission, after Yorktown, to the end of the war, though relinquishing his pay; ALS, James McHenry to E. H., Feb. 20, 1810 (Huntington Lib.), and Jos. Anderson to R. M. Johnson (chm. committ. considering her claim), Feb. 23, 1810 (Morristown Hist. Mus.), gave affirmative reasons. As a result H was determined to have held his commission from March 14, 1776, to Nov. 16, 1783. In 1813 Mrs. H. was issued a bounty-land warrant by the Sec. of War for 450 acres; this warrant was certified to have been lost and another was issued in 1840. By special act of Congress April 9, 1816, Mrs. H was placed on the same footing with those receiving commutation under the resolution of March, 1783; she was paid \$3,600 (5 years of her husband's full pay) and \$7,009.64 as interest on the foregoing sum for 32 years, 165 days (AMH 420-1). In 1838 she received a pension of \$600 a year with arrears for six years of \$3,900. Among those who helped with depositions, etc., was Wm. Popham, who had been present at her wedding and was H's unvarying friend (see Veterans' Records Branch File No. W 13402 B.L. Wt 2279-450, U.S. Archives).

29. Copy, ALS, Tim. Pickering to Wm. Coleman, July 1, 1825; to Troup, Feb. 28, 1828 (Pickering Papers, MHS).

30. ALS, Sept. 24, 1822. With long, intimate knowledge and attachment Pickering set about additional researchers; cf. draft ALS, to Coleman, Sept. 11, 1827, to Troup March 5, 1828 (MHS), and correspondence with Fish, Columbiana Collection, Columbia Univ.

31. AMH 113-15.

32. DS, Aug. 19, 1829, Hamilton misc., NYHS. She furnished him all the papers in her possession, would pay him \$1 per vol., not less than 2,000, from proceeds of sales; he should submit the ms. for her approval. Her

grandson called the selection injudicious, the result unsuccessful (AMH 113).

33. *The Works of Alexander Hamilton*. . . . (7 vols., N.Y., John F. Trow, 1850-51, here repeatedly referred to as JCHW).

34. Alexander liked soldiering so much that he fought under the Duke of Wellington in Portugal, returning in time to become aide to his father's old friend Gen. Morgan Lewis. He wished to be given command of a regiment of Negro troops; in 1863 (he was then 77) he offered his military services to Gov. Seymour, especially to survey the defences of N.Y. harbor which had been his father's care 65 years earlier (ALS, June 18, 1863, NYPL).

35. See his *Reminiscences*; LS, Jackson to JAH, March 4, 1829 (NYPL). He named his home on the Hudson "Nevis" for his father's birthplace; it now belongs to Columbia University.

36. Many of these particulars come from Allan McLane Hamilton's *Intimate Life* of his grandfather, 210 ff.; this volume, by the way, is a remarkably objective record.

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